

February 26, 1976

Mr. Bardyl R. Tirana
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037

Dear Bardyl:

Enclosed is a copy of a draft bill that would give District citizens the power to call an advisory referendum and to initiate legislation that, if approved at a general election, would be transmitted to Congress as a recommendation for consideration. Also enclosed is a draft press release and background report which explains the bill in more detail. I want to avoid amending the Home Rule Charter in drafting this legislation, if possible.

I would appreciate very much if you would look over the enclosed material and comment:

- . Whether the present draft would require a Home Rule Charger amendment
- . If so, how could the draft be reworded so that it does not require an amendment.

I would greatly appreciate any comments you may have in this regard.

Best wishes.

Sincerely,

Julius W. Hobson

Enclosures

February 25, 1976

Mr. Steven J. Knezevich
University of Wisconsin
McCutcheon Publishing Corporation
2526 Grove Street
Berkeley, California 94704

Dear Mr. Knezevich:

Would you please be kind enough to let me know the availability of the book: "Program Budgeting (PBBS): Resource Allocation Decision System for Education"?

Thank you.

Sincerely,

David F. Smith
Legislative Assistant

February 25, 1976

Mr. John Dever
City Manager
City Hall
Sunnyvale, California 94086

Dear Mr. Dever:

Councilman Julius W. Hobson of the Council of the District of Columbia would like to solicit information from you regarding total performance/accountability budgeting financial management.

Mr. Edward Murphy recommended that I contact you since you had instituted a similar financial management program as that being considered by Mr. Hobson. We are leaning towards initiating this type of budget process in the public schools, each school becoming a cost center responsible for its own budget, and later in other executive agencies and departments.

Could you please provide us with information on the steps you took in Sunnyvale as well as a description of your budget process with an emphasis on how it is an improvement over the previous process?

I appreciate any assistance you can provide and congratulations again on your recent award.

Sincerely,

David F. Smith
Legislative Assistant

February 24, 1976

Member
Board of Education
415 12th Street, N.W.
Washington, D.C. 20004

Dear

The Post Secondary Practical Nursing Program at M.M. Washington Vocational School currently faces curtailment if additional teachers are not hired. It is our understanding that unless six (6) GS teachers are hired immediately the clinical portion of the program is in serious jeopardy and the program will have to be cancelled during the summer months. TSA teachers are only available during September through June.

Because this program operates on a 12 month basis, with clinical experiences occurring throughout the Spring and Summer, it is crucial that sufficient teachers be available to supervise all phases of the instructional program.

Furthermore, the State Board Examination is scheduled immediately after graduation in October 1976. Without the filling of 6 GS teacher vacancies, the result will be the cancellation of summer classes; therefore, the students in this program are denied an equal opportunity to take the examination with graduates of other practical nursing schools.

The students in this program were enrolled in September 1975 with the understanding that it was a 12 month commitment -- both by the students and the Board of Education. We are living up to our end of the agreement by our daily attendance. The Board is committed to providing adequate staff, facilities and supplies. We urge you to take whatever steps are necessary to hire six (6) GS nursing teachers immediately, including requesting a waiver from the freeze on hiring imposed by the Mayor.

Sincerely yours,

Practical Nursing Students
M.M. Washington Vocational School

cc: Mr. Vincent Reed
Acting Superintendent of Schools
Dr. Margaret Labat
Regional Superintendent
Dr. Otho Jones
Assistant Superintendent, Career Development
Mr. Marthell Hicks
Principal, M.M. Washington Vocational School

February 1, 1970

Director
Board of Education
1500 15th Street, N.W.
Washington, D.C. 20004

The State Secondary Practical Training Program at M.M. Washington Vocational School currently faces enrollment of additional teachers and students. It is our understanding that unless six (6) GS teachers are hired immediately the clinical portion of the program is in serious jeopardy and the program will have to be cancelled during the summer months. The teachers are only available during September through June.

Because this program operates on a 12 month basis, which clinical experience occurring throughout the Spring and Summer, it is critical that sufficient teachers be available to supervise all phases of the instructional program.

Furthermore, the State Board Examination is scheduled immediately after graduation in October 1970. Without the filling of 6 GS teacher vacancies, the results will be the cancellation of summer classes. Therefore, the urgency in this program is to obtain an equal opportunity to take the examination with graduates of other practical training schools.

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Digitization funded by a generous grant from the National Endowment for the Humanities.

Sincerely yours,

[Redacted Signature]

Practical Training Students
M.M. Washington Vocational School

Mr. Vincent Reed
Acting Superintendent of Schools
1500 15th Street, N.W.
Washington, D.C. 20004

February 24, 1976

STATEMENT BY JULIUS W. HOBSON ON THE RESOLUTION DECLARING FEBRUARY 22 - 28, 1976
AS NATIONAL AMNESTY WEEK

This resolution is presented to the Council to declare the Week of February 22nd through the 28th as National Amnesty Week. The resolution reads as follows:

Whereas, the Vietnam War has not ended for over half a million young people whose resistance to the draft or opposition to the war led to imprisonment, exile, or second class citizenship as a result of less than honorable discharges; and

Whereas, many organizations and individuals throughout the country are seeking universal and unconditional amnesty for all these people - - these forgotten sons and daughters of America,

NOW, THEREFORE, BE IT:

Resolved by the Council of the District of Columbia, that this resolution may be cited as the "National Amnesty Week Resolution".

Sec. 2. The Council of the District of Columbia declares the week of February 22 - 28, 1976 to be National Amnesty week in Washington, D. C. and encourages the citizens of the District to write their official representatives and candidates for public office during this week to help bring about complete, immediate, universal, and unconditional amnesty for those people who resisted the Vietnam War.

Sec. 3. This resolution shall take effect immediately upon its adoption.

I would like to indicate that Councilman John Wilson has joined me in co-sponsoring this resolution.

Mr. Chairman, I move its adoption.

February 23, 1976

Mr. Stan Mires
1717 Swann Street, N.W.
Washington, D.C. 20009

Dear Mr. Mires:

Thank you for your communication concerning
legislation currently pending before the Council of the District
of Columbia.

I appreciate your interest in the affairs of the city.
I will certainly keep your views in mind when the Council considers
this issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Kenneth Hodges
1234 Massachusetts Avenue, N.W.
Washington, D.C. 20005

Dear Mr. Hodges:

Thank you for your letter affirming your support for the "No Fault Divorce" bill. I will keep your views in mind when the Council considers this legislation.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. James H. Harvey
Mr. Dick Jones
Representatives of the Ad Hoc
Coalition of Concerned Housing Related
Community Groups
1225 K Street, N.W., Suite 210
Washington, D.C. 20005

Dear Mr. Harvey and Mr. Jones:

Thank you for your recent communication concerning housing and community development in the District of Columbia. I would be happy to meet with your groups to hear your views further. Please call my executive assistant, Paul Sanders Brown, at 724-8072 or 724-8073 and he will arrange an appointment.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Richard C. Vierbuchen
Chairman, Washington Area
Convention and Visitors Bureau
1129 Twentieth Street, N.W.
Washington, D.C. 20036

Dear Mr. Vierbuchen:

Thank you for your telegram concerning the proposed cuts in the appropriation to the Washington Area Convention and Visitors Bureau. I will certainly keep your views in mind because I, too, am aware of the great potential for revenue for the city earned through conventions and visitors.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. John Dawson
4012 Second Street, Northwest
Washington, D.C. 20032

Dear Mr. Dawson:

Thank you for your letter concerning the liquor bills recently vetoed by the Mayor.

I appreciate your interest in the affairs of the city and I will certainly keep your views in mind when the Council considers this issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Gottlieb Simon, Co-Chairman
D.C. Government Committee
Southwest Neighborhood Assembly
201 "Eye" Street, Southwest
Washington, D.C. 20024

Dear Mr. Simon:

Thank you for your letter and the copy of the
"Statement on Proposed Expansion of First District Station
House" presented to the Housing and Urban Development Committee
on January 26, 1976.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Sidney Michelson
Chairman of the Board
Park and Shop
666 11th Street, Northwest
Suite 515
Washington, D.C. 20001

Dear Mr. Michelson:

Thank you for your communication concerning potential new taxes for the District.

I appreciate your interest in the affairs of the city. I will certainly keep your views in mind when the Council considers this issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Robert York
1918 35th Street, N.W.
Washington, D.C. 20007

Dear Mr. York:

In considering the "No Fault Divorce" bill, I will give every consideration to the welfare of children my full attention.

Thank you for writing to me and giving me your views on the effects of this legislation.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. R. Keith Stroup
Director
National Organization for the Reform of Marijuana Laws
2317 M Street, Northwest
Washington, D.C. 20037

Dear Mr. Stroup:

As you already know, the D.C. Bill #1-44 has been tabled by the Council. However, I will keep your views on marijuana legislation in mind when this issue is again considered by the Council.

Sincerely,

Julius W. Hobson
Councilman at Large

February 23, 1976

Mr. Ted Prahinski
1901 Plymouth Street, N.W.
Washington, D.C. 20012

Dear Mr. Prahinski:

Thank you for sending me the information on the Motor Fleet Management Surveyor Division of the District. I am sure the Committee on Government Operations considered your views during the budget deliberations.

Sincerely,

Julius W. Hobson
Councilman at Large

February 20, 1976

Mr. Edsel D. Stewart
Manager, Landlord Systems
Monsanto Enviro-Chem Systems
800 N. Lindberg Blvd
St. Louis, Missouri 63166

Dear Mr. Stewart:

The Council of the District of Columbia is presently considering approval of \$9.6 million for a resource recovery facility based on a study done by the National Center for Resource Recovery.

A number of Councilmembers feel that other resource recovery systems designed to recover energy were not adequately explored during the process of selecting the design proposed for the FY 1976 capital budget. There is interest in looking at other resource/energy recovery systems in more detail before making a final decision on which type of facility the District should build.

Because Monsanto has designed, constructed, and put into operation a resource recovery facility, I would like to have some detailed information on exactly what is the advantage of your system for the District. How would it help the City Government in dealing with its solid waste management problems? In providing your ideas, we would appreciate an evaluation of the success and cost of your Landard pyralysis process as it has operated in Baltimore, Maryland. Could we have this information by March 19, 1976.

Please call my Executive Assistant, Sandy Brown, at 724-8073, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 20, 1976

Admiral Tazewell Shepard
Occidental Petroleum International
1717 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Dear Admiral Shepard:

The Council of the District of Columbia is presently considering approval of \$9.6 million for a resource recovery facility based on a study done by the National Center for Resource Recovery.

A number of Councilmembers feel that other resource recovery systems designed to recover energy were not adequately explored during the process of selecting the design proposed for the FY 1976 capital budget. There is interest in looking at other resource/energy recovery systems in more detail before making a final decision on which type of facility the District should build.

Because Occidental Petroleum has designed and is putting into operation a resource recovery system that makes use of the low temperature flash pyrolysis process, I would like to have some detailed information on exactly what is the advantage of your system for the District. How would it help the City Government in dealing with its solid waste management problems? In providing your ideas, we would also appreciate an evaluation of the success and cost of your flash pyrolysis process as it has worked in San Diego County, California. Could we have this information by March 19, 1976?

Please call my Executive Assistant, Sandy Brown, at 724-8073, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 20, 1976

Mr. Joseph P. Murphy
Acting Assistant Director
Department of Motor Vehicles
Municipal Center - Room 1018
400 Indiana Avenue, N.W.
Washington, D.C. 20001

Dear Mr. Murphy:

I am writing on behalf of a constituent, Mr. John H. Grimes, of 613 5th Street, N.E. According to Mr. Grimes, he was arrested on October 26, 1975 and charged with disorderly conduct, running a stop sign and driving while under the influence of alcohol. He further stated that the case was dismissed because the original papers involving the matter and the prosecuting attorney could not be located.

Mr. Grimes, also, informed us that when his case came up for trial it was dismissed. However, he received notice that his driver's permit was revoked several days later, effective January 7, 1976. Mr. Grimes alleged that his driver's permit was ~~revoked~~ without due process and that his driver's permit is essential to his employment.

I would like to have some background information including a brief summary, on the problem by March 9, 1976. In your summary please discuss what actions you have taken and what further steps you plan to take.

I look forward to hearing from you and thank you for your cooperation.

Sincerely,

Julius W. Hobson
Councilman at Large

February 20, 1976

Honorable Walter E. Fauntroy
House of Representatives
Washington, D.C. 20515

Dear Walter:

This is to commend you on your conduct of office since you have been our representative to the Congress. The people of the District of Columbia really knew what they were doing when they elected you to that office.

May you have continued success --keep up the good struggle.

Sincerely,

Julius W. Hobson

February 20, 1976

Mrs. Phyllis R. Beckwith
Principal, Dunbar High School
Chairman, Advisory Committee
Region IV, Fine Arts Festival
First and N Streets, N.W.
Washington, D.C. 20001

Dear Mrs. Beckwith:

I would be very pleased to have my name listed as a member of the Advisory Committee of the Region IV, Fine Arts Festival on April 4, 5, and 6, 1976. I hope that the Festival will be a resounding success.

Sincerely,

Julius W. Hobson

Council of the District of Columbia

Memorandum

District Building, 14th and E Streets, N.W. 20004

Fifth Floor

724-8000

To Sterling Tucker, Council Chairman
From *Just* Julius W. Hobson, Councilman at Large
Date June 1, 1976

Subject Resolution Urging Congress to Enact Legislation to End Military and Economic Assistance to the Chilean and Military Junta and to Also Urge Secretary of State Henry Kissinger not to Attend the Organization of American State's Meeting in Siantiago, Chile on June 4, 1976

It is most important that the Council take up this matter immediately and not to delay consideration which would weaken the effect of this resolution.

The following facts are pertinent:

- The House of Representatives is scheduled to vote this week (possibly tomorrow) on the Fraser Amendment to the Foreign Assistance Act for Fiscal Year 1977. This amendment which passed by the International Relations Committee unanimously would limit all forms of economic aid to the Chilean Junta to \$24 million dollars.
- Secretary of State Henry Kissinger is scheduled to depart momentarily for the opening session of the Organization of American States meeting in Santiago, Chile.
- Thirty five Senators and Congressmen, including Senator Abourezk and Kennedy wrote the Secretary last week urging him not to attend the OAS meeting in Santiago.

I, therefore, urge you to call a special meeting of the Council -- in time to make the resolution meaningful.

February 19, 1976

Mr. Bardyl R. Tirana
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037

Dear Bardyl:

Enclosed is a draft bill which would provide the citizens of the District of Columbia with the power of initiative and referendum. Tina suggested that you could look at the draft and perhaps improve the wording. We are especially interested in having the bill worded in such a way so that it would not require an amendment to the Home Rule Charter in order to implement the initiative and referendum provisions, if possible.

Sincerely,

Sandy Brown
Executive Assistant

Enclosure

Council of the District of Columbia Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To All Councilmembers
From Julius W. Hobson *gwh*
Date February 19, 1976
Subject National Amnesty Week Resolution

At the next legislative session on February 24, 1976, I am introducing a special resolution declaring the week of February 22-28, 1976 as National Amnesty Week. I hope you will join me in sponsoring this resolution on the 24th.

Thus far the following governors have declared National Amnesty Week in their States:

Governor Dan Walker (Illinois)
Governor Milton Shapp (Pennsylvania)
Governor Richard Kneip (South Dakota)
Governor Brendan Byrne (New Jersey)
Governor Julian Carroll (Kentucky)
Governor Michael Dukakis (Maine)

The following cities have declared National Amnesty Week:

Baltimore, Maryland
San Francisco, California
New York City, New York

Attachment

Julius W Hobson

A Resolution

In the Council of the District of Columbia

To declare the week of February 22 - 28, 1976 as National Amnesty Week.

Whereas, the Vietnam War has not ended for over half a million young people whose resistance to the draft or opposition to the war led to imprisonment, exile, or second class citizenship as a result of less than honorable discharges; and

Whereas, many organizations and individuals throughout the country are seeking universal and unconditional amnesty for all these people - - these forgotten sons and daughters of America,

NOW, THEREFORE, BE IT:

Resolved by the Council of the District of Columbia, that this resolution may be cited as the "National Amnesty Week Resolution".

Sec. 2. The Council of the District of Columbia declares the week of February 22 - 28, 1976 to be National Amnesty week in Washington, D. C. and encourages the citizens of the District to write their official representatives and candidates for public office during this week to help bring about complete, immediate, universal, and unconditional amnesty for those people who resisted the Vietnam War.

Sec. 3. This resolution shall take effect immediately upon its adoption.

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To All Councilmembers
From Julius W. Hobson *JH*
Date February 19, 1976
Subject The Beverage Container Act

The Committee on Transportation and Environmental Affairs, of which I am a member, recently reported out the Beverage Container Act. The City Council will be considering this bill at its next legislative session on February 24 for a first reading. I urge your support.

Essential elements of this bill would:

1. Apply to beer and other malt beverages, soda water and carbonated soft drinks. The bill would not apply to dairy products, fruit and vegetable juices.
2. Require a minimum refund value of five cents on all beverage containers.
3. Require dealers and distributors to accept beverage containers for refund at the place and sale of delivery.
4. Require that each non-refillable beverage container sold in the District to state its refund value and to indicate that it was sold within the Greater Washington area.
5. Ban "pop top" cans and non refillable plastic containers.
6. Provide for citizen suits.
7. Provide for an education and publicity program.
8. Go into effect on January 1, 1978 provided the surrounding jurisdictions (Montgomery Co., Prince Georges Co., Fairfax Co., and Arlington Co.) enact substantially similar legislation.

Passage of the Beverage Container Act would achieve a number of important and desired results:

1. It would reduce the amount of waste being generated in the City, thus extending the life of the landfill. According to the U. S. Environmental Protection Agency, beverage containers comprise approximately 7 % of the total solid waste stream nationally, and they are becoming an increasingly large component of municipal waste. Enactment of this bill would result in a 65 to 75 % reduction of that

portion of solid waste and reduce the total municipal waste stream by 4 to 6 %. In the District this would mean that the flow of garbage to the rapidly depleting landfill would be reduced by 120 tons per day with no cost or risk to the taxpayer.

2. The beverage Container Act would provide more jobs for minimally skilled residents of the District. Retailers have stated they would have to hire more people to handle the returnables and the increased bookkeeping. A study done by Mr. Ted Schienman (an economist for the Maryland Council on Environmental Economic.) on the potential impact of beverage container legislation on employment in the District indicated that with containers making only 4 trips there would be an increase of 386 jobs in D. C. (The same study indicated a container making 20 trips would result in an increase of 497 jobs for the District.

3. Tied closely to the issue of solid waste management is the problem of litter. The Beverage Container Act would provide an incentive to reduce litter. Beverage Containers comprise over 20 % of the litter in D. C. and is one of its most visible and dangerous components. A study done in Oregon (which enacted this type of legislation in 1972) indicates that its "bottle bill" reduced the beverage container portion of the litter by 66 %. This translates into a 10.9 % reduction in total litter. In Washington, D. C. this would mean a 13.8 % reduction in total litter. Reduction in this portion of litter would mean a substantial saving in money spent on litter collection and disposal by the City -- a point that must be emphasized as the District faces an austere budget.

4. The Beverage Container Act would conserve energy and natural resources. Beverage containers use 45 % of all the glass, 6 % of all the aluminium, and 2 % of all the steel produced in this country. The nationwide amount of energy expended in supplying beer and soft drinks in throw away cans and bottles would supply all of the electrical needs of Pittsburgh, Boston, Washington, D. C. and San Francisco for one year. Refillable containers provide an inexpensive and energy-saving alternative to the continued proliferation of energy wasting and resource consuming disposable beer and soft drink containers.

5. The bill would benefit the consumer. The cost of beverages in returnable containers would be less expensive than non-returnables. In a study done by Environmental Action in the fall of 1974, consumers save an average of 79 ¢ for a case of 12 ounce refillable soft drinks. By using non-refillable containers the consumer is forced to pay for both the container as well as the product inside it. The cost of manufacturing a can has risen 16 % since 1974. As the costs for the materials used in producing beverage containers continues to increase, these increases will be passed on to the consumer in the form of higher prices.

6. Finally the bill would protect the public health and safety of District residents. Glass beverage containers left in streets, alleys, and playgrounds, if not shattered purposely, break with time and create an obvious health and safety menace to people and pets. The "pop top" container is banned for the same reason. Once discarded, the detachable piece poses a hazard to children playing in bare feet and pets because of its sharp edges. In addition one way plastic containers are prohibited because of the health threat caused by the emission of toxic gases such as hydrogen cyanide when incinerated in large quantities as well as possible contamination of the container's contents.

The Council has the opportunity to pass a progressive and far reaching piece of legislation which places a premium on the environment and the quality of life for the residents of the District. The Beverage Container Act is an important and urgent piece of legislation which begins to address the City's chronic solid waste problem, creates jobs, conserves energy and natural resources, and protects the public's health and safety. Passage of this bill would set the trend for other jurisdictions within the region and nation to follow. I urge you to support the bill and vote for its passage on February 24.

Litter War's Front Line

After Three Years, Oregon's 'Bottle Bill' Gets Residents' Cheers, Many Businessmen's Boos

By WILLIAM WONG

Staff Reporter of THE WALL STREET JOURNAL

PORTLAND, Ore.—John Piacentini feels so strongly about Oregon's "bottle bill" that he spent \$3,000 last summer to buy billboard space in 10 state capitals and Washington, D.C. His message: "Don't let anyone kid you. The Oregon bottle bill is working!"

Such a gesture wouldn't be unusual if Mr. Piacentini were a Sierra Club official. But he is a food retailer, and the controversial Oregon bottle law by encouraging returnable bottles to reduce litter, has created a lot of work for his 83 Plaid Pantry convenience stores in Oregon (he has seven more in the Vancouver, Wash., area) as well as for other retail food outlets. The law pushes returnable bottles by putting a value of at least five cents on nearly all empty beverage containers, and it bans pull-tab cans. It has nearly eliminated throwaway bottles in Oregon and has greatly reduced the use of cans.

As a fervent supporter of the three-year-old law, Mr. Piacentini has a lot of company among Oregon's two million residents. A survey has indicated that nine out of 10 Oregonians approve of the law and are trying to make it work.

But among businessmen, Mr. Piacentini is something of a maverick. They aren't very enamored of the law. One big retailer calls it a "nuisance." A soft-drink bottler says, without enthusiasm, "We're supporting the bill because it's law. We're living with it."

Potent Opposition

And in publicizing his support of the law outside Oregon, Mr. Piacentini faces potent opposition. He says he took to the billboards solely to counteract what he considers the one-sided views of the powerful container and beverage industries, which decry the Oregon law as a dismal failure. Industry groups have abandoned the fight in Oregon because the law is so popular here and because its constitutionality has been upheld.

But they still are fighting to prevent its spread; they are pushing multimillion-dollar lobbying campaigns in other states and in Washington, D.C. The national debate spawned by the Oregon legislation is growing hotter, especially because returnable-bottle systems seem to offer savings in energy and resources at a time when such savings are in vogue.

In its lobbying campaigns the industry argues that, whether or not the law has worked in Oregon, it won't work elsewhere because Oregon is somehow unique. That charge riles Tom McCall, who was governor when the law was passed in 1971 and who is a tireless supporter of it now. "They're trying to isolate us, they're trying to picture us as a bunch of woodsy weirdos," he says.

The Oregon bottle law, nonetheless, has had a wide impact. It has served as a model for almost 40 state and local governments

considering similar legislation. Thus far, only two states, Vermont and South Dakota, have enacted laws similar to Oregon's, however, although a number of localities, such as Oberlin, Ohio; Montgomery County, Md., and Loudon County, Va., have passed bottle bills. Bottle proposals have been introduced in Congress, but with little movement to date.

Proposed EPA Guidelines

In what some environmentalists view as the first national victory against the container and beverage industries, the U.S. Environmental Protection Agency in November proposed guidelines that would require deposits on beverage containers sold on federal facilities such as national parks and military bases. Intense pressure has built up on both sides—with industry forces against and environmentalists for issuance of the proposed rules. Following public comment, the EPA is expected to issue final guidelines sometime this year.

A recently released Commerce Department staff study tends to bolster the industry's position, however. The study concludes that a returnable-bottle system would reduce total highway litter nationwide only 10% to 12%, assuming a 90% rate of bottle returns. "Programs directly addressed to the litter problem would have much greater impact on litter reduction," the study says.

The study also says that 80,000 jobs, primarily in manufacturing, would be lost, while 100,000 workers, at lesser pay, would be added in retailing and distribution. And it estimates that capital expenditures of \$2 billion to \$3 billion would be required for a switch to an all-refillable glass system.

Regardless of what the Commerce Department study says, however, Oregonians generally agree that beverage container litter has been greatly reduced and overall litter somewhat reduced since the law went into effect here in late 1972. And they cite other studies to back up their claims.

For example, Don Waggoner, an industrial engineer and environmentalist, found that Oregon's beverage container litter dropped 72% in the law's first year and 82% in its second, compared with the year prior to the law. The volume of general litter decreased 35% the first year and 47% the second, the Waggoner study added.

One Company Benefits

Some bottlers and brewers decline to discuss the law's impact on their profits. But Forrest Gist, an executive with the Pepsi-Cola franchise holder in Portland, says his company is more profitable now, primarily because it no longer purchases canned soft drinks for distribution and thus can realize "full manufacturing profits" from its bottling line.

Blitz-Weinhard's Mr. Wessinger won't discuss the profit impact, but he says the drop in canned-beer sales has reduced the company's share of the Oregon beer market to 25% from 30% previously. The company is trying to make up the slippage with out-of-state business. He adds, however, that the brewery has saved an unspecified sum by not having to purchase as many new containers.

The beverage industry and retailers attribute higher capital and labor costs to the law. Applied Decision's study says the five industries, excluding retailers, spent a combined \$6.4 million to \$8.5 million in "additional investments" in the law's first year.

Besides higher labor costs, retailers complain about sanitation problems caused by partially full returned bottles or dirty containers collected from highways. "It's a nuisance," says Fred G. Meyer, chairman of a large retailing and supermarket chain, of the law. Returned bottles "are the most unsanitary thing we have in our stores," he adds.

And even the antilitter-crusading Mr. Piacentini acknowledges that the law creates problems for retailers. He adds, "We do have more empty bottles in the stores, but I'd rather see them in the backrooms of my stores than on the highways."

In discussing energy savings, for example, the Waggoner study claims that the law, in its first two years, has yielded sufficient savings to provide the "home-heating needs of 50,000 Oregonians or to generate 130 million kilowatt hours of electricity worth \$2.8 million annually." The Commerce Department study, on the other hand, says a nationwide returnable-bottle system by 1980 would save energy equivalent to about 24 million barrels of oil a year—a minor saving compared with estimated total annual U.S. requirements by then of 15.7 billion barrels.

In employment, the law has produced its expected shift—a decrease in container-manufacturing jobs and increases in distribution and retailing.

Uncertainty Over Prices

But the impact on product prices remains murky. Some sources say beverage prices in Oregon are lower than or equal to those in neighboring Washington State, which doesn't have a bottle bill. Others say brewers and bottlers have had to raise prices to offset "forfeited profits" when they were forced to change their product mixes to less profitable lines.

And there is wide disagreement about the law's impact on profits of the industries most affected—bottle makers, can manufacturers, brewers, soft-drink producers, beer distributors, and retailers. One study—paid for by the state and prepared by a Massachusetts research group called Applied Decision Systems—said that in the law's first year, the five industries (excluding retailers) showed a combined reduction in pretax profits of \$6.9 million to \$8.6 million, with can manufacturers and private-label soft-drink producers hurt the most.

This study, released in 1974, stirred protests. Critics termed it biased in favor of the beverage and container industries, which supplied much of the data. The authors vehemently denied the charges. As a result of the uproar, the state insisted that the study include a disclaimer that the state didn't vouch for any of the conclusions.

Furthermore, another study, written by two Oregon State University professors, says the six industries (including retailers) had a combined increase of \$3.9 million in operating profits in the law's first year.

Industry Reaction to Study

Those figures are disputed by George Wagner, a Portland attorney representing the Can Manufacturers Institute, a trade group, but he concedes, "Oregon highways appear somewhat cleaner." He believes that is because Oregonians simply have a greater interest in their environment these days. "All the circumstantial evidence I've seen is that the bottle bill hasn't had much impact on littering," he declares.

But at least one beverage-industry official believes the law has helped reduce litter. William W. Wessinger, chairman of Blitz-Weinhard Co., a Portland brewery, says: "It's my personal opinion that the law has had a tremendous impact. There's certainly not as much litter now. This is very visible. There's absolutely no doubt about it."

There also is no doubt that Oregonians want to make the law work. Various estimates indicate that they are returning empty bottles at high rates—in the mid-90% range for soft drinks and in the high 80% to low 90% range for beer.

In view of such enthusiasm, Adolph Coors Co., the Golden, Colo., brewery that for six years has been recycling beverage cans, states that "we believe that some type of deposit legislation is unavoidable." In that case, a spokesman adds, Coors favors an across-the-board, uniform, mandatory deposit, rather than Oregon's varying-deposit system.

The Oregon law has inspired enough arguments and counterarguments to practically establish a whole new branch of economic literature.

The Washington Post

AN INDEPENDENT NEWSPAPER

SATURDAY, JANUARY 3, 1976

A Letter on Litter

IN A LETTER to the editor on this page today, the president of the Can Manufacturers Institute, M. W. Jensen, reminds us that our day's work at this newspaper has a way of piling up in tomorrow's trash cans—and suggests that, as a consequence, we are not in the strongest position to complain about other peoples' litter. And he is partly right: we *are* part of the trash problem, inescapably. While it would be comforting to think that our daily efforts are not lightly forgotten, we well realize that newspapers have a short life before becoming potential litter, and we have so noted in this space in the past. But we think, perhaps immodestly, that we are also part of the solution: our own experience with waste paper has afforded us considerable first-hand knowledge of the problems of "resource recovery." For example, there is the recovery of scrap paper in this building; it is recycled right here, as is the leftover metal wire from each day's run. Then, there is some 12 million tons of waste newsprint in the plant each year, which this newspaper turns in for recycling. In fact, some rolls of recycled newsprint are used in the daily press run.

In any case—and without belittling the litter problems that result from the mass distribution of newspapers—thoughtful analysis of the gross national trashpile turns up some obvious differences between newspapers and beer or soda cans. Quite aside from the fact that people don't usually cut their bare feet on discarded newspapers, there is a fundamental difference in

packaging. Nobody has really found a better substance than paper on which to present the printed word; in the case of beverages, however, manufacturers of containers have come up with a better package—the refillable bottle—to replace a more wasteful method, the throwaway. Unlike paper, which at least is biodegradable, the metal and glass used to produce some 60 billion throwaways a year in the United States never disintegrates into the landscape.

Also, as more and more consumers have discovered, the savings on refillable bottles can be considerable—even though the makers of throwaways would have you believe that tossing out cans and bottles is more efficient; less expensive and consistent with efforts to conserve energy. Moreover, as Mr. Jensen suggests, a home-delivered refund on newspapers would cost the consumer more per copy. The difference is that with the beverage containers (to which, as far as we can tell, the First Amendment doesn't apply), the amount of wasted glass and metal can be reduced by stopping it *before* it hits the trash. Thus while newspapers must so far rely on resource recovery and recycling methods, beverage producers are able to take the more effective step of *source reduction*. That is why responsible officials in this region, in Congress and in the administration are supporting legislation that would take us back, not precipitously, but at a reasonable pace, to the good old days of the returnable container.

The Washington Post

FRIDAY, NOVEMBER 28, 1975

Montgomery County's War on Junk

AFTER THREE YEARS of deliberations and setbacks in the face of high-pressure lobbying by industry opponents, the Montgomery County Council has voted to launch an effective double-barreled attack against the waste and blight of throwaway beverage containers. The first step is a measure to place a tax on disposable soft drink and beer containers, effective March 1. It would amount to 4 cents on throwaways of 16 ounces or less and 9 cents on the bigger ones. The tax would be in effect until Jan. 1, 1978, when it would be supplanted by a mandatory, refundable deposit on all beverage containers, a move also approved by the council but awaiting language clarification before formal passage. Together, the two measures constitute a modest and sensible approach worthy of County Executive James P. Gleason's support.

The tax, after all, is one that people can avoid by buying their beverages in returnable containers, which are generally a better bargain anyway. As consumers all around town are discovering, the savings on refillable bottles can be considerable. Moreover, if dealers in Montgomery round off the proposed charges to a nickel and a dime, customers will save an additional 30 to 60 cents a sixpack by choosing deposit bottles. Thus, the tax could encourage manufacturers and distributors to start making the necessary changes for a full-scale switch to reusable containers in time for the county's all-deposit plan in 1978. If genuine competition exists in the industry, consumer demand for the less expensive deposit containers should prompt better distribution and servicing of refills for large and small stores alike.

Under the tax plan, Montgomery customers still content to pay extra for throwaways would help pay the costs of collecting and disposing of their glass and metal trash (at the current rate of throwaway purchases, the estimated annual revenue from the tax would be about \$3 million). But the benefits of the proposed curbs on throwaways go beyond the savings to be made by smart shoppers. In addition to addressing the obvious litter problems created by no-return cans and bottles—not to mention those nasty, flip-top tabs, which would be banned outright under the 1978 proposal—the Montgomery County measures are designed to help conserve national resources, including the vast amounts of unnecessary energy spent in the manufacture, sale and recovery of throwaways.

These benefits would be still greater, of course, if all the other jurisdictions in Greater Washington operated under uniform conditions. In the District, for example, similar measures are under consideration by the city council; taxpayers as well as residents in every section of the city could enjoy the advantages of returnables if the city council joins in the effort to make them readily available in all stores. There are encouraging signs that other local governments are preparing similar actions, as endorsed unanimously by the Metropolitan Washington Council of Governments early last year. With all the talk about inflation, energy conservation, the waste of resources and the desecration of our countryside, the case for stepping up this regional effort ought to be clear and compelling.

November 20, 1975

Chipping away at disposables

It is greatly to be hoped that James P. Gleason, the Montgomery County executive, will not again veto legislation to try to control the egregious waste and litter of throwaway bottles and cans. A year ago, Mr. Gleason zapped a council-passed bill that would have imposed a mandatory deposit on all containers, throwaway or returnable. The new measure, due for final action by the county council shortly, strikes us as a better approach — a 4-cent tax on the toss-aways to stimulate purchase of potables in returnable containers.

The council's action in Montgomery is, of course, only a skirmish won in a war in which the bottling and beverage industries have shown no inclination to surrender. But, in conjunction with other recent engagements, it is progress.

The Environmental Protection Agency last week took the first procedural step to require a 5-cent deposit on all beverage containers sold under federal auspices, which would have an obvious impact on the Washington area. And the Maryland Court of Appeals in March upheld an ordinance passed by the town of Bowie in 1971, requiring the mandatory deposit.

There appears to be developing a wider feeling that disposable containers represent a ridiculous wastefulness and a lack of aesthetic concern for our own backyards. The arguments of the bottlers and soft-drink purveyors do not hold water, and they would do well now to get cracking on the the conversion back to returnables instead of trying to impede the effort by rhetoric and litigation.

No serious argument has been made that elimination of throwaways would involve no difficulties. But the point is that these would be temporary and worth the economic dividend in conservation. One recent study, by the Maryland Governor's Council of Economic Advisers, said that weaning ourselves from disposables would create 1,500 jobs in the state, would produce \$1.1 million in new tax revenue, and would

reduce highway litter in the neighborhood of 30 per cent.

Throwaways are a problem, as we have said before, that is not so intractable as many of our urban knots. We trust that Mr. Gleason will see it that way, this time around. And in a time of scarce household money, even in Montgomery, the savings to the consumer of drinks in returnables over throwaways amounts to 60 per cent.

Stemming the Tide of Throwaways *part 4-8-75*

IT TAKES NO great research to conclude that, once again, summer has been a banner season for glass, metal and flip-top trash. Along the beaches, in the parks and all around town, the evidence is glaringly apparent. Suppliers and distributors of throwaway bottles and cans continue to unload their wasteful packaging on consumers, who then must unload it somewhere else. Meanwhile, more and more studies are pointing up the importance of legislation to curb this waste of national resources. In addition to litter problems, government officials are now recognizing that vast amounts of unnecessary energy are spent in the sale and recovery of disposable beer and soft drink containers. Indeed, consumers are discovering that the savings can be considerable when beverages are readily available in returnable containers.

In this region, the effort to enact legislation aimed at stopping the sale of one-way containers began about four years ago, when Loudoun County and the city of Bowie each declared war on throwaways. The jurisdictions decided to require deposits on all soft drink and beer containers. Then three years ago, Montgomery County began considering a similar mandatory deposit law. In the face of arguments that any such move ought to be taken on a regional basis, the Metropolitan Washington Council of Governments eventually studied the matter and unanimously approved a model ordinance calling for the phasing in of deposit bills with an area-wide target date of July 1, 1976.

Despite years of deliberations, litigation and heavy lobbying by industry opponents of deposit proposals, the local outlook for action did improve slowly. In April, Maryland's highest court held that the Bowie ordinance

is constitutional—and that beer and soft drink bottles and cans had been shown to be “particularly troublesome sources of litter.” Last month, testimony was heard in a court challenge of the Loudoun ordinance, and a ruling is expected shortly. This will have a direct effect on efforts in Arlington, Fairfax and Prince William counties for similar laws. In the District, city council members have introduced a number of bills to curb throwaways and action is expected soon.

Still, the long effort to come up with a coordinated regional approach to the problem could well fall apart this month in Montgomery County. In addition to mandatory deposit measures, the county council has before it a substitute proposal to impose a permanent tax on disposables. While the objective of this bill is the same as that of deposit measures, the effect of the substitute would be to end any hope of a workable, uniform set of laws in the region. There are other area jurisdictions that lack authority to enact such a local tax. As a result, Montgomery County merchants could be put at a disadvantage.

There may be merit, however, in a proposed interim tax, linked to a planned date for the start of mandatory deposit legislation in coordination with other jurisdictions in the area. This approach could encourage the industry to start making the necessary changes for a full-scale switch to reusable containers in the Greater Washington market sometime next year. Such a system, under which consumers in every section of the region could enjoy the advantages of returnables, litter reduction and energy conservation, can come into being if Montgomery County is willing to cooperate by rejecting the substitute permanent tax proposal.

All Councilmembers

Julius W. Hobson

February 19, 1976

National Amnesty Week Resolution

At the next legislative session on February 24, 1976, I am introducing a special resolution declaring the week of February 22-28, 1976 as National Amnesty Week. I hope you will join me in sponsoring this resolution on the 24th.

Thus far the following governors have declared National Amnesty Week in their States:

Governor Dan Walker (Illinois)
Governor Milton Shapp (Pennsylvania)
Governor Richard Kneip (South Dakota)
Governor Brendan Byrne (New Jersey)
Governor Julian Carroll (Kentucky)
Governor Michael Dukakis (Maine)

The following cities have declared National Amnesty Week:

Baltimore, Maryland
San Francisco, California
New York City, New York

Attachments

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Members, Committee on Education, Recreation and Youth Affairs

From Julius W. Hobson, Chairman *juw*

Date February 18, 1976

Subject Cancellation of ERYA meeting

The Education, Recreation, and Youth Affairs Committee meeting scheduled for Thursday, February 19, at 10:30 a.m. has been cancelled.

Robert Williams, Council Secretary

Julius W. Hobson, Councilmember at Large

February 18, 1976

Agenda for the February 24th Legislative Session

Please place the following resolution "To Declare the Week
of February 22-28, 1976, as National Amnesty Week" on the Council's
Legislative Agenda for final vote and consideration.

Attachment

February 17, 1976

Mr. T.A. Donegan
Marketing Specialist, Northeast Region
Union Carbide Corporation, Linde Division
Tarrytown, New York 10591

Dear Mr. Donegan:

The Council of the District of Columbia is presently considering approval of \$9.6 million for a resource recovery facility based on a study done by the National Center for Resource Recovery.

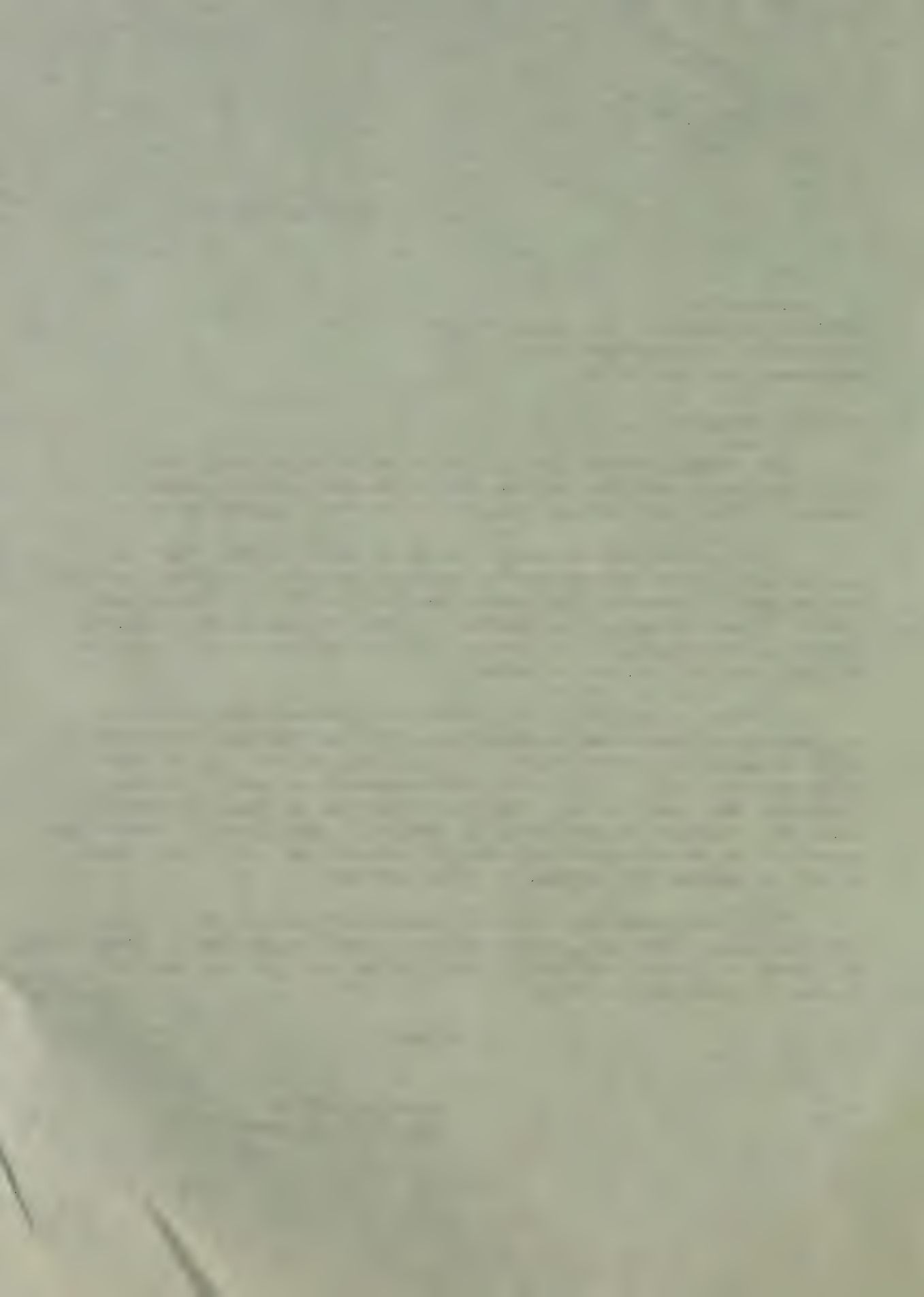
A number of Councilmembers feel that other resource recovery systems designed to recover energy were not adequately explored during the process of selecting the design proposed for the FY 1976 capital budget. There is interest in looking at other resource/energy recovery systems in more detail before making a final decision on which type of facility the District should build.

Because Union Carbide has developed a process utilizing high temperature pyrolysis and has constructed a full scale demonstration plant designed to recover energy, I would like to have some detailed information on really what is the advantage of your system for the District. How would it help the city government in dealing with its solid waste management problems? In providing your ideas, we would also appreciate an evaluation of the success and cost of your Purox System as it has operated in Charleston, West Virginia.

Could we please have this information by March 9th? If you have additional questions, please call my Executive Assistant, Sandy Brown, at 724-8073. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large



February 12, 1976

Ms. Nancy McDonald
Rape Crisis Center
Post Office Box 21005
Washington, D.C. 20009

Dear Ms. McDonald:

As you know, Councilmember Hobson introduced "The Prior Sexual Conduct Evidence Act of 1975" on December 2, 1975. This bill was referred to the Committee on Judiciary and Criminal Procedures. If the Rape Crisis Center would like to offer comments concerning this legislation, it would be most appreciated.

Sincerely,

Paul Sanders Brown
Executive Assistant

Enclosure:

A copy of the legislation.

February 9, 1976

Mr. Carter McFarland
International Center for Social
Gerontology, Inc.
Suite 350
425 13th Street, N.W.
Washington, D.C. 20004

Dear Carter:

Enclosed is a status report from the Office of
Consumer Affairs concerning your complaint about the
"Electronics Corner."

I will keep you abreast as I receive further
information on your case.

Sincerely,

Julius W. Hobson

Enclosure

February 9, 1976

Mr. Joseph Judge
Chemistry Department
Beeghly Hall
The American University
Washington, D.C. 20016

Dear Mr. Judge:

The Council of the District of Columbia is presently considering approval of \$9.6 million for a resource recovery facility based on a study done by the National Center for Resource Recovery.

A number of Councilmembers feel that other resource recovery systems designed to recover energy were not adequately explored during the process of selecting the design proposed for the FY 1976 capital budget. There is interest in looking at other resource/energy recovery systems in more detail before making a final decision on which type of facility the District should build.

Because of the work your research group at American University has done in developing the technology for recovering methane gas from municipal garbage and sewage for use as fuel, I would like some detailed information on exactly what is the advantage of your system for the District. How would it help the City Government in dealing with its solid waste management problems? In providing your ideas, we would also appreciate an evaluation of the success and cost of manufacturing methane gas from municipal trash. Could we have this information by February 29th?

Please call my Executive Assistant, Sandy Brown, at 724-8073, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Mr. Charles C. Johnson, Jr.
Resident Manager
Malcolm Pirnie, Inc.
Consulting Environmental Engineers
1629 K Street, N.W.
Washington, D. C. 20006

Dear C. C.:

The Council of the District of Columbia is presently considering the approval of \$9.6 million for a resource recovery facility based on a 1974 engineering and economic feasibility study. There has been a good deal of controversy as to the suitability of the design, the way in which the contract for the engineering and economic feasibility study was awarded, and the lack of focus on energy recovery.

In light of these concerns there is an interest among several Councilmembers about the possibility of doing a new feasibility study on resource recovery for the District of Columbia. If asked to perform a new study, what should be asked of an experienced organization such as yours? What have similar studies cost in the past? In view of what has been done thus far, what should be included in a new feasibility study in order to focus more directly on energy recovery?

Because of the Council's limitations on time to consider this project, I would appreciate any ideas you may have by March 1, if possible.

Enclosed is some background material and information which may be of value. Please call my Executive Assistant, Mr. Sandy Brown, at 724-8040, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Mr. Henri Claude Bailie
1707 L Street, N.W.
Suite 510
Washington, D.C. 20036

Dear Mr. Bailie:

The Council of the District of Columbia is presently considering the approval of \$9.6 million for a resource recovery facility based on a 1974 engineering and economic feasibility study. There has been a good deal of controversy as to the suitability of the design, the way in which the contract for the engineering and economic feasibility study was awarded, and the lack of focus on energy recovery.

In light of these concerns there is an interest among several Councilmembers about the possibility of doing a new feasibility study on resource recovery for the District of Columbia. If asked to perform a new study, what should be asked of an experienced organization such as yours? What have similar studies cost in the past? In view of what has been done thus far, what should be included in a new feasibility study in order to focus more directly on energy recovery?

Because of the Council's limitations on time to consider this project, I would appreciate any ideas you may have by March 1, if possible.

Enclosed is some background material and information which may be of value. Please call my Executive Assistant, Mr. Sandy Brown, at 724-8040, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

Enclosure

cc: Mr. Robert Sontheimer

February 9, 1976

Miss Rene Edwards
Eugene A. Clark School
4501 Kansas Avenue, Northwest
Washington, D.C. 20011

Dear Rene:

I could not agree with you more that "smoking is dumb and makes you sick." I have introduced legislation called "The Clean-Air Bill", and if it is passed by the Council, it will certainly help to clean up the air so that you and all of the citizens of the city can breathe. If you are having pains in your chest I hope you have told your parents and they can take you to the doctor.

Thank you for your letter and I hope you will continue as you grow older to be concerned with your environment.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Miss Carolyn Hobson
LaSalle School
Grade 5
5749 5th Street, N.E.
Washington, D.C. 20011

Dear Carolyn:

Thank you for writing to me of your concern for people who smoke. Yes, there should be a law prohibiting people from smoking and I have introduced legislation called "The Clean-Air Bill," and if it is passed by the Council, it will certainly help to clean up the air.

I commend you for such serious thinking at your young age. Please continue to do so, for this is the kind of young person the community needs to become leaders of the future.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Mr. Hewleth Pearson
Grade 5, Room 311
Eugene A. Clark School
4501 Kansas Avenue, N.W.
Washington, D.C. 20011

Dear Hewleth:

Thank you for writing to me of your concerns for the health and well being of people who smoke.. I will certainly do all I can as a member of the Council of the District of Columbia to encourage citizens to be aware of the dangers of smoking.

I commend you for such serious thinking at your young age. Please continue to do so, for this is the kind of young person the community needs to become leaders of the future.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Mr. Paul Davis
Room 201
Petworth School
8th and Shepherd Street, N.W.
Washington, D.C. 20011

Dear Paul:

Thank you for writing to me of your concerns for the health and well being of people who smoke. I used to smoke a pipe but now I have stopped, so I hope you will be glad.

I commend you for such serious thinking at your young age. Please continue to do so, for this is the kind of young person the community needs to become leaders of the future.

Sincerely,

Julius W. Hobson
Councilmember at Large

February 9, 1976

Mr. Ahuruezenmu Anyatorwa
Grade 6
Petworth Elementary School
8th and Shepherd Streets, N.W.
Washington, D.C. 20011

Dear Ahuruezenmu:

I agree with you that smoking is not good for one's health. I used to smoke a pipe but now I have stopped, so I hope you will be glad.

Let me welcome you to America. I hope you are making new friends and do not miss your home in Aba, Nigeria too much.

Thank you for writing to me of your concerns for the health and well being of people who smoke. I will certainly do all I can as a member of the City Council to encourage everyone to be aware of the dangers of smoking.

Sincerely,

Julius W. Hobson
Councilman at Large

February 9, 1976

Mr. Dwayne Gable
Petworth School, Room 201
8th and Shephard Streets, N.W.
Washington, D.C. 20011

Dear Dwayne:

Thank you for your letter and your advice about the harm smoking does to the parts of our bodies. Even though you did not write much in your letter, it did express your genuine concern for health of human beings and your wish for them to do something about it.

As a public official and member of the Council of the District of Columbia, I have introduced legislation called "The Clean-Air Bill," and if it is passed by the Council, it will certainly help to clean up the air we breathe.

Sincerely,

Julius W. Hobson
Councilman at Large

From the Desk of

JULIUS W. HOBSON

2/6/76

Mr. and Mrs. H.:

Sandy and I will look into the "award"
business next week --- didn't have time
to concentrate on me.

Lorraine

February 5, 1976

Judge Barrington Parker
3115 Fessenden Street, N.W.
Washington, D.C. 20008

Dear Barrington:

I read of your accident in the papers yesterday, but as you have done with other things you seem to be going through fine. You have my best wishes.

Keep up the good fight!

Sincerely,

Julius W. Hobson

February 5, 1976

Mr. Richard Quay, Vice President
Wheelabrator-Frye
5404 Galena Place, Northwest
Washington, D.C. 20016

Dear Mr. Quay:

The Council of the District of Columbia is presently considering approval of \$9.6 million for a resource recovery facility based on a study done by the National Center for Resource Recovery.

A number of Councilmembers feel that other resource recovery systems designed to recover energy were not adequately explored during the process of selecting the design proposed for the FY 1976 capital budget. There is interest in looking at other resource/energy recovery systems in more detail before making a final decision on which type of facility the District should build.

Because Wheelabrator-Frye has designed, constructed, and put into operation a facility which recovers energy and materials, I would like to have some detailed information on exactly what is the advantage of your system for the District. How would it help the City Government in dealing with its solid waste management problems? In providing your ideas, we would also appreciate an evaluation of the success and cost of your refuse boiler system as it has operated in Saugus, Massachusetts. Could we have this information by February 29th?

Please call my Executive Assistant, Sandy Brown, telephone: 724-8073, if you have additional questions. I will certainly appreciate any help you can give the Council on this complex issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 4, 1976

Mrs. Marion H. Cooper
1718 Albemarle Drive
Silver Spring, Maryland 20902

Dear Mrs. Cooper:

Thank you for taking the time to write me about your concerns of the seriousness of the drug problem in this country. I am pleased that you were able to see my appearance on the television and hear my remarks.

Sincerely,

Julius W. Hobson

February 4, 1976

Mrs. Jonathan Tuerk
2605 Northampton Street
Washington, D.C. 20015

Dear Mrs. Tuerk:

Thank you for writing to let me know
of your support of Councilman Dixon's bill
concerning child custody.

Sincerely,

Julius W. Hobson

February 4, 1976

Mr. Joseph B. Danzansky
President
The Metropolitan Washington Board of Trade
Board of Trade Building
1129 20th Street, N.W.
Washington, D.C. 20036

Dear Joe:

I am sorry I will not be able to attend the Board of Trade's 57th Mid-Winter Dinner. I am sure I would certainly enjoy the evening of fine entertainment, sociability and especially no speeches.

Thank you for the invitation.

Sincerely,

Julius W. Hobson

February 4, 1976

Mrs. Clarence H. Harris
1934 Bunker Hill Road, N.E.
Washington, D.C. 20018

Dear Mrs. Harris:

Thank you for your congratulatory letter. It was very refreshing, especially at a time when officials of the city seem to be under so much criticism. I will certainly give my full support to education, recreation and youth affairs as long as I am chairman of the Council's committee in these areas.

Sincerely,

Julius W. Hobson

February 4, 1976

Mr. Craig Howell, President
Gay Activists Alliance
Post Office Box 2554
Washington, D.C. 20013

Dear Mr. Howell:

Thank you for your letter concerning the
"no-fault divorce" bill. I will keep your views
in mind when the Council considers this issue.

Sincerely,

Julius W. Hobson

February 4, 1976

Jacques B. DePuy, Esquire
Law Offices
Linowes and Blocher
Madison Bank Building, Suite 810
1730 M Street, N.W.
Washington, D.C. 20036

Dear Mr. DePuy:

Thank you for your letter transmitting the article
from the Washington Star on D.C. Home Rule written
by Jason Newman and yourself.

Sincerely,

Julius W. Hobson

February 4, 1976

Mr. Robert L. Edenbaum, President
Washington Parking Association
1301 20th Street, N.W.
Sunderland, Suite 103
Washington, D.C. 20036

Dear Mr. Edenbaum:

Thank you for your communication concerning the
recommendations of the Finance and Revenue Committee.
I will certainly keep your views in mind when the
Council considers this issue.

Sincerely,

Julius W. Hobson

February 4, 1976

Mr. Jimmy Jett, Manager
Jett's Certified Welding
3036 Brightseat Road
Lanham, Maryland 20801

Dear Mr. Jett:

Thank you for your communication concerning legislation
on the Minority Contractor's Act of 1975.

I appreciate your interest in the passage of this Bill;
I will certainly keep your views in mind when the
Council considers this issue.

Sincerely,

Julius W. Hobson

February 4, 1976

Mr. Seymour Hoffman
Chairman, Wage-Hour Committee
National Association Theatre Owners
of Metropolitan D.C.
4301 Connecticut Avenue, N.W.
Washington, D.C. 20008

Dear Mr. Hoffman:

Thank you for sending me a copy of the letter to the Members of the Minimum Wage and Industrial Safety Board. I will certainly keep your concerns in mind concerning the hourly rates and its affects upon the theatres in the city.

Sincerely,

Julius W. Hobson

February 4, 1976

Ms. Anita Bonds
D.C. Women's Political Caucus
1446 Fourth Street, S.W.
Washington, D.C. 20024

Dear Ms. Bonds:

I regret I was unable to join the Women's Caucus on this past Sunday, as I had originally planned, but continued attention to the budget for the Committee on Education, Recreation, and Youth Affairs cancelled my attending other affairs.

Thank you for the invitation.

Sincerely,

Julius W. Hobson, Councilman at Large

February 4, 1976

Mr. Thomas E. Lodge, Jr, President
Logan Circle Preservation Corporation
1316 Vermont Avenue, Northwest
Washington, D.C. 20005

Dear Mr. Lodge:

Thank you for your letter transmitting a copy of the letter to Mr. Lorenzo Jacobs, Director, Department of Housing and Community Development in reference to the restoration of the Logan Circle Historic District.

I will certainly keep your views in mind when the Council considers this issue.

Sincerely,

Julius W. Hobson
Councilman at Large

February 4, 1976

D.C. Alumni Chapter
Virginia Union University
c/o Mr. William Deane
1012 Urell Place, N.E.
Washington, D.C. 20017

Dear Mr. Deane:

I am sorry I was unable to attend the D.C. Alumni Chapter of Virginia Union University's VUU Awareness Day Grand Bicentennial Celebration in January.

I am sure the distinguished list of honorees and their guests will long remember this gala event in recognition of the outstanding educational achievements during the past century.

Sincerely,

Julius W. Hobson

February 4, 1976

Honorable Fred Harris
Democratic Presidential Candidate
1412 K Street, N.W.
Washington, D.C. 20005

Dear Mr. Harris:

I am very sorry I was unable to join your "coffee" in January to discuss the issues with you and Mrs. Harris personally. I agree wholeheartedly with your effort to make the issue in 1976 the relationship between working class people and the government for the super-rich and the giant corporations.

Please accept my good wishes for a successful campaign for President.

Sincerely,

Julius W. Hobson

February 4, 1976

Mrs. Gwendolyn C. Moore, President
Gamma Chapter, Iota Phi Lambda Sorority, Inc.
6514 Fifth Street, N.W.
Washington, D.C. 20012

Dear Mrs. Moore:

I am sorry I will not be able to attend the Iota Phi Lambda Sorority, Inc., 's Negro History Week Bicentennial Luncheon on Sunday, February 15, 1976. Please convey my congratulations to the honorees for their fine achievements in their chosen professions.

Thank you for the invitation to participate in this event.

Sincerely,

Julius W. Hobson, Councilman at Large

Mr. Fred Aranha , Support Services Director

Lorraine McCottry

January 29 , 1976

Request for file drawers

We desperately need two file drawers to add to the file cabinets , presently in use. Could we please also have a four drawer cabinet, in addition to the add-on drawers.

Mrs. Shirley Outz

Lorraine McCottry

January 29, 1976

Request for publication

Could you please order the attached publication,
Washington IV, when funding permits. We are still using Washington III
which is a little out of date!

Thank you.

For Budget Chron
Material -

See folder on
Budget under "B"

COMMITTEE ON EDUCATION, RECREATION AND YOUTH AFFAIRS
PUBLIC HEARINGS ON FY 1977 BUDGET
Room 500, District Building
Washington, D.C. 20004

Monday, January 26, 1976

WITNESS LISTS - 2:00 P.M. SESSION

PUBLIC LIBRARY

<u>Name</u>	<u>Organization</u>
1. Dr. Hardy Franklin Director	Public Library
Dr. Francis Gregory President	Board of Library Trustees
Mr. Joe Y. Lee Associate Director	Public Library
Miss Frances Shibley Head, Budget & Fiscal Department	Public Library
Mr. James H. Gray Head, Buildings & Grounds Department	Public Library
2. Mrs. Lola Johnson Singletary	Board of Library Trustees
3. Mrs. Vogol jur Jovanovic	Public Library

DEPARTMENT OF RECREATION

1. Dr. William Rumsey Director	Department of Recreation
Mr. Robert Fleming Administrative Officer	Department of Recreation
Mr. Samuel LaBeach Director Special Programs Division	Department of Recreation
Mr. Isaac McKee Director, Unit Operations Division	Department of Recreation

2:00 P.M. Session continued:
Department of Recreation

<u>Name</u>	<u>Organization</u>
Mr. Julius J. Dickerson Director, Design and Development Division	Department of Recreation
2. Mr. Samuel Newman	Citizen
3. Mrs. Patricia Moskof	Forest Hills Ad Hoc Group Forest Hills Playground
4. Ms. Erlene Carter	D.C. Association for Retarded Persons

OFFICE OF YOUTH OPPORTUNITY SERVICES

<u>Name</u>	<u>Organization</u>
1. Dr. James Jones Director	Office of Youth Opportunity Services
Rev. Jesse Anderson Manpower Specialist	Office of Youth Opportunity Services
Ms. Patricia Smith Budget Officer	Office of Youth Opportunity Services
Mr. Charles Howard Budget Officer	Office of Youth Opportunity Services
Mr. Curtis Taylor Resource & Operational Specialist	Office of Youth Opportunity Services
Mrs. Ida Willis Personnel Officer	Office of Youth Opportunity Services
Mr. James Woodward Chief, Juvenile Delinquency Division	
2. Mr. David Holmes	Teen Corps, Incorporated
3. Mr. Clarence McKee	D.C. United Way

2:00 P.M. Session continued:
Office of Youth Opportunity Services

<u>Name</u>	<u>Organization</u>
4. Mr. Samuel Newman	Citizen
5. Mr. Anton Wood	Citizen
6. Mr. Walter C. Pierce	Ontario Lakers
7. Mr. Steven Block	Neighborhood Planning Council
8. Ms. Chris Belcher Ms. Mariko Kawaguchi	City Scape Magazine
9. Ms. Ann Young	Citizen
10. Ms. Debbie Johnson Mr. Leon Coates	Washington Street Work Project
11. Ms. Nancy Hall Mr. Clarence Dade	Jeffeff's Boys and Girls Club
12. Mrs. Mamie Staton	Courtesy Patrol (NPC #14)
13. Mrs. Fannie Hill Mrs. Angela Gilliam	Neighborhood Planning Council #12
14. Ms. Maria Cicoria-Touchet	Neighborhood Planning Council #4
15. Mr. Claude T. Harrington	Music Training Program (NPC #20)
16. Mr. Abraham Jackson Ms. Patricia Harris	City-wide Boxing Program (NPC 5 & 15)
16. Ms. Kathaleen Dungey	Neighborhood Planning Council #6
17. Ms. Cindy Rainey	Citizen
18. Ms. Stella O'Leary	Citizen
19. Michael Jennings	Citizen
20. Mr. Jim Hannapel	Citizen
21. Mr. Gary Young	Citizen
22. Mrs. Matilda Brown	Citizen

2:00 P.M. Session continued:
Office of Youth Opportunity Services

	<u>Name</u>	<u>Organization</u>
23.	Mr. Derrick Connely	Neighborhood Planning Council #20
24.	Mr. William H. Smith	Music Program (NPC #20)
25.	Ms. Debbie Shore	Citizen
26.	Ms. Patty Connor	Citizen
27.	Mr. Kevin Wilson	Citizen
28.	Ms. Charlotte Watson	Northwest One Teen Council
29.	Ms. Donna Jeffries	Community Youth
30.	Mr. Herb Young	Citizen
31.	Ms. Sandra Gray	Citizen
32.	Mr. Sandy Gibbs	Citizen
33.	Mr. George Taylor	Citizen
34.	Ms. Diane Thompson	Citizen
35.	Mr. Thomas Brumfield	Citizen
36.	Mr. Thomas Dorsey	Citizen
37.	Ms. Annette Moore	Citizen
38.	Mr. Ronald Johnson	Citizen
39.	Ms. Debbie Jones	Citizen
40.	Ms. Deborah Webb	Neighborhood Planning Council #17
41.	Mr. Clarence E. Sewell	Youth Meditator (NPC #15)
42.	Ms. Beatrice A. Rooths	Neighborhood Planning Council #1
43.	Mr. Albert Triplet	Citizen
44.	Mr. Arthur Watson	Citizen

2:00 P.M. Session continued:
Office of Youth Opportunity Services

<u>Name</u>	<u>Organization</u>
45. Ms. Chris Zrebarth Mr. August Swanson Ms. Ann Mills	Neighborhood Planning Council #3
46. Ms. Kathleen Buchanan Ms. Frances Wallace Mr. Greg Smallwood Ms. Lorraine Browner Ms. Mary Reid Ms. Allison Brown Ms. Rachel Toye	Citizen Group
47. Ms. Naomi Eftis	Citizen
48. Ms. Julie Koczela	Citizen (NPC # 2 & #3)
49. Mr. George Dennis	Neighborhood Planning Council #3
50. Mrs. Bernice Lewis	Citizen
51. Ms. Celia Griego	Latin American Youth Center
52. Mr. Curtis Bruen	Neighborhood Planning Council #5
53. Ms. Virginia Cash	Neighborhood Planning Council #5
54. Mr. Joseph Carter	Citizen (NPC #16)
55. Mr. Darryl Mahoney Ms. Nadya Gaskill Mr. Ronald Austin	Students (NPC #1)

Tobacco's Warning: Smoking May Be Harmful to Your Comfort

By Winston Groom
Washington Star Staff Writer

In Fairfax County it took six po-
lice and a federal agent to arrest a
domestic and frequent smoker from a
taxi cab.

On a recent airline flight to Wash-
ington, an anti-smoker was threat-
ened with arrest when he strapped
himself into a flight attendant's seat
to avoid the smoke-filled passenger
section.

But in a Washington restaurant, a
man who was punched in the nose
was told the advice of television
commercials and insisted that a
smoker extinguish his cigarette.

The battle between smokers and
non-smokers is on and will probably

get much better in 1976, spurred by
the increasing militance of anti-
smokers with such slogans as: "Your
right to smoke ends where my nose
begins."

Ten years after the U.S. surgeon
general officially declared that ciga-
rette smoking can be harmful to
one's health, the tobacco industry
announced that consumption of ciga-
rettes reached an all-time high of 583
billion — although the per-capita
consumption is slightly down from its
peak in 1963.

For most of the 10 years since the
surgeon general's warning, the ques-
tion of non-smokers' rights' smoul-
dered while government authorities
and public interest groups attempted

to convince smokers to kick the habit
themselves.

BUT IN THE LAST two years a
groundswell of public sentiment
against smokers has taken shape
throughout the country — mostly in
the form of laws prohibiting public
smoking for environmental reasons
rather than on the traditional
grounds that it constitutes a fire haz-
ard.

Since 1974 at least 31 states have
passed some kind of anti-smoking
legislation aimed at protecting the

Militants pressure puffers to go somewhere else
non-smoker from cigarette, cigar
and pipe fumes.

The District City Council currently
has under consideration perhaps the
strictest of all such laws in the na-
tion. If enacted, the D.C. bill — which
has stirred considerable controversy
among local restaurant and hotel
owners — would forbid smoking in
virtually all indoor public places in
the city except bars.

Even Maryland, one of the old line
tobacco states, last year passed some
of the most stringent anti-smoking
regulations in the nation.

In the face of these attacks,
smokers who have been comfortably
puffing away for years, are them-
selves becoming more defensive in
pursuing their habit, claiming a con-
stitutional right to smoke where and
when they please.

In New York, for instance, an offi-
cial of Philip Morris has reportedly
offered a reward to the first employee
arrested for violating a new city
statute against smoking in elevators.

And a group of smokers on a Long
Island commuter train recently re-
sponded to a newly boarded passen-
ger's complaints against them by
simultaneously blowing smoke in the
man's face.

The irate passenger got the last
laugh, however. He went to the dis-
trict attorney's office and filed a
charge against the smokers for "bat-
tery," which is defined under the law
as physically assaulting another per-
son.

"What we're trying to accom-
plish," says John Banzhaf, director of
Action on Smoking and Health
(ASH), "is to secure for the general
public an environment that is not
polluted by smoke. We're not trying
to deny a person the right to smoke.
We say, 'Just don't do it around
us.'"

See NO SMOKE, A-1

1-25-76

NO SMOKE

Continued From A-1

Banzhaf, a six-foot, 200 pound lawyer who teaches at George Washington law school, has waged an almost single-handed war against smoking for nearly 10 years. He is generally credited with starting the movement that eventually got cigarette commercials outlawed from television.

Banzhaf sees the battle against public smoking as a series of small skirmishes in which non-smokers will gradually secure certain areas as smoke free until smoking is restricted in virtually all public places.

Currently public smoking has been restricted to limited areas of interstate transportation such as airplanes, trains and buses.

Various states have limited smoking in places such as hospitals, classrooms, theaters, retail stores, food markets, public restrooms and concert halls.

MOREOVER, local jurisdictions throughout the country have been further restricting smoking in public places, eliciting loud grumblings from the patrons of such previously sacrosanct smoking areas as the Chicago Stock Market and various state legislatures.

One of the touchiest problems encountered by anti-smokers is how to restrict smoking at athletic events where lighting up a cigarette is as common as eating a hot-dog or drinking a beer.

A non-smoking football fan's lawsuit brought a temporary ban to smoking at the Detroit Lions' stadium when a judge issued a temporary restraining order pending a hearing on the suit. But within a week an appellate court had overruled the judge and fans can smoke until the case comes to trial next month.

At Washington's Capital Centre and New Orleans' Superdome, fans are asked not to smoke by a public address system recording before each event, but according to witnesses, the announcement seems to spur smokers to pursue their habits even more fiercely.

The law presently under consideration in the District would stretch anti-smoking measures to their outer-

most limits, banning smoking from practically all areas open to the public.

Entitled the D.C. Clean Indoor Air Act and sponsored by councilman Julius Hobson, the bill would prohibit smoking in all restaurants, stores, offices and other commercial establishments, schools, arenas, auditoriums and meeting places in the city.

The only exceptions would be bars and certain warehouses and factories not open to the public.

Hobson's bill, and a companion bill by councilman Sterling Tucker, will come up for public hearings in March.

TRADITIONALLY, the council has shown a reluctance to go head to head with smokers. In fact, the 1974 council passed a statute forbidding some public smoking but exempted itself from the law, allowing smoking by council members in the front of the council chamber but forbidding it for visitors in the back of the room.

But insiders say the Hobson-Tucker bill has a better-than-even chance with the new council because even before the hearings, 6 of the 13 council members have signed up as co-sponsors of the measure.

This has sent a number of D.C. businessmen howling that such a law would add even more woes to their problem of trying to keep customers from fleeing to the suburbs.

David Smith, an assistant to Hobson who has worked extensively on the legislation, said his office so far has received written opposition to the anti-smoking legislation from the District Association of Hotel Owners and there are rumblings of complaints from other business owners.

But, Smith said, reaction from private citizens has been running overwhelmingly in favor of the proposed law and many businessmen have indicated approval of its passage.

"The American Tobacco Institute referred to us as 'bunch of fanatics,'" Smith said, "but they won't even acknowledge that smoking can be unhealthy to the smoker — let alone anyone standing nearby."

"A lot of the argument against the law centers

ignorance of the law or just not thinking. Most smokers are in the habit of just lighting up automatically."

"Also, we've found that when the no-smoking signs go up, more non-smokers are willing to go up to smokers and ask them to stop smoking. Just a few years ago, you were regarded as some kind of kook if you did that, but now it's a common thing," Banzhaf said.

PROF. JOHN BANZHAF Organizing ashes

around the old 'failure of prohibition' theory — the idea that you can't legislate conduct. But that just doesn't hold water because we do it all the time — there are lots of laws against things like noise pollution, spitting and things like that," Smith said.

In fact, enforceability is the chief unknown in the question of whether the smoking laws will work. Many legislators have said they are reluctant to vote for legislation that people might not obey on the theory that it would simply encourage disrespect for the law.

SINCE THE NO-SMOKING laws have gone into effect, there have been widespread reports of smokers openly flaunting them.

In an Illinois supermarket recently, a smoker 'belligerently lit up a cigarette beneath a large no-smoking sign posted on the wall and when the manager approached him he blew smoke in his face. The manager called police, but before they arrived the smoker kicked over a display of soup cans and stalked out of the store.

And in the District, where a mild no smoking ordinance went into effect a year ago this month prohibiting smoking in large retail stores and elevators, fire marshal John Breen disclosed that there has yet to be an arrest although there are frequent complaints of violations.

"We just don't have the manpower to patrol the stores to keep people from smoking. We told the council that when they passed the law. Traditionally the fire regulations have been used to enforce fire safety, but this law (no smoking in stores) is an environmental issue," Breen said.

"That's a silly and erroneous argument," says ASH's Banzhaf when asked about the enforceability problem.

"Most people are law-abiding citizens — smokers or not — and they will obey the law if it is properly posted. Sure, there are going to be exceptions, but there are people who violate all laws. The most important thing is to get the signs up," Banzhaf said.

"What we've found in studies is that after an initial period of education — about 6 to 8 months — smokers will abide by the restrictions. Sure, they may ignore them at first, but a lot of that has to do with

curb smoking among their staff.

A truck dealer in Munising, Mich., for instance, has offered any employee who quits smoking a \$10 a week raise.

The dealer, who said he's lost several relatives from cancer, has also stopped ordering trucks with cigarette lighters in them.

AND A LARGE Minnesota insurance company has announced it will no longer hire employees who smoke.

All over America "stop smoking" days are being organized by anti-smoking groups and "stop-smoking" businesses are cropping up in which a smoker is supposedly taught how to stop smoking for a fee.

In the face of this the smoking continues, although there are signs that fewer people are taking up the habit. The only increase in smokers noticed by a recent government study was of young girls who are apparently beginning to smoke earlier and more often than 10 years ago.

Some feel, however, that in time the practice of smoking will fall out of fashion.

Six months ago the Third World Conference on Smoking and Health, held in New York City, predicted that by the end of this century smoking will be limited to a few addicts who practice their habit in private.

"Smokers are more likely to agree to put out their cigarettes if they know they're in the wrong. It's when they feel there are no restrictions and their rights are infringed upon that they become adamant," Banzhaf said.

Another development in the anti-smoking war that seems to be gaining ground involves employer efforts to

January 15, 1976

Ms. Jan Elchorn
Assistant Director for
State and International Programs
D.C. Bicentennial Office
777 14th Street, N.W. (Wyatt Building)
Washington, D.C. 20005

Dear Ms. Elchorn:

Thank you for the copy of the new brochure on the D.C. Bicentennial Salute to the States. I am forwarding to you a proposal from a citizen with some ideas for the bicentennial celebration for your review.

Sincerely,

Julius W. Hobson

Enclosure: Letter and attachments from
Ms. JoAnne R. Kenny
33 K Street, N.W. #916
Washington, D.C. 20001

cc: Miss Kenny

January 14, 1976

Ms. Vandy L. Jamison, Principal
Mildred Green Elementary School
15th and Mississippi Avenue, S.E.
Washington, D.C. 20032

Dear Ms. Jamison:

Thank you for the invitation to visit your school on January 23rd to observe the instrumental music program. Unfortunately, I will not be able to come as I will be conducting hearings on the 1977 budget for the Public Schools on that date.

Sincerely,

Julius W. Hobson

January 13, 1976

The Inner Voices
Box 3126
Columbia Heights Station
Washington, D.C. 20010

Dear Sirs:

I am sorry I will be unable to attend the benefit
affair on Thursday, January 15, 1976. Thank you for the
invitation.

Sincerely,

Julius W. Hobson
Councilmember at Large

January 13, 1976

Administrator
Division of Experimental Programs
The George Washington University
2115 G Street, N.W.
Washington, D.C. 20052

Dear Sir:

I will be unable to attend the Third Annual Conference on Washington, D.C. Historical Studies, scheduled for January 23-24, 1976 because I will be chairing Council hearings on the budget for Education, Recreation, Youth Opportunities Services and the Public Library.

Thank you for the invitation to participate in this informative conference.

Sincerely,

Julius W. Hobson

January 13, 1976

Dr. Francis A. Gregory, President
Board of Library Trustees
4015 Massachusetts Avenue, S.E.
Washington, D.C. 20019

Dear Dr. Gregory:

On Monday, January 26, 1976, the Committee on Education, Recreation, and Youth Affairs will be conducting a public hearing on the FY 1977 Budget for the Department of Recreation, Office of Youth Opportunity Services and the Public Library.

The hearing is scheduled to begin promptly at 2:00 p.m. in Room 410 of the District Building. Mrs. Lorraine McCottry will be contacting you to verify the time of your testimony.

Sincerely,

JULIUS W. HOBSON
Chairman
Committee on Education, Recreation & Youth Affairs

Enclosure

Council of the District of Columbia

News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE

HOBSON MOVES TO MAKE DISTRICT BUILDING ARCHITECTURALLY ACCESSIBLE

Councilman Julius W. Hobson (Statehood at large) announced today he is introducing the "District Building Accessibility Resolution of 1976" at the Council's legislative session on January 13, 1976. The resolution directs the Mayor to construct a ramp designed for use by the physically handicapped and to install an automatic door at the 13 and 1/2 Street entrance of the District Building.

"The temporary wooden ramps presently located at the 13 and 1/2 Street entrance of the District Building are inadequate to point of being dangerous," Hobson declared. "The surface of the ramp becomes slippery during wet weather and the grade is so steep that it is impossible for a person in a wheelchair to negotiate without strong assistance. It is extremely important to the more than 50,000 handicapped individuals who live in the District that the District Building be accessible. As it now stands persons with physical limitations are effectively precluded from entering and using the building to seek government services related to their needs or see City Council members."

For further information contact Mr. Paul (Sandy) Brown 724-8072

January 12, 1976

Dr. Hardy R. Franklin
Director
District of Columbia Public Library
901 G Street, N.W.
Washington, D.C. 20001

Dear Dr. Franklin:

I regret very much that I will be unable to participate in the District's observance of Dr. Martin Luther King, Jr.,'s birthday on Thursday, January 15, 1976.

It is my sincere hope that students and other residents of the District of Columbia will take this opportunity to honor this most famous American.

Sincerely,

Julius W. Hobson

January 12, 1976

Ms. Lillian Wiggins, President
National Tots and Teens, Inc.
D.C. Chapter
4326 Blagden Avenue, N.W.
Washington, D.C. 20011

Dear Ms. Wiggins:

Unfortunately, February 14, 1976, falls within the period the Council will be reviewing the city's next fiscal year's budget, I, therefore, will be unable to attend your bicentennial year program.

Sincerely,

Julius W. Hobson

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To All Councilmembers

From Julius W. Hobson *jwit*

Date January 12, 1976

Subject Resolution Honoring Joseph H. Cole

At the legislative Session on January 13, 1976 I will introduce a special resolution honoring Joseph Cole for his 40 years of service to the District of Columbia in the Department of Recreation. Mr. Cole will be here tomorrow at the time of the consideration of the resolution. I hope that you will join me in honoring Mr. Cole for his indefatigable efforts for recreational services.

Attachment

That this resolution may be cited as the "Resolution Honoring Joseph H. Cole".

Sec. 2. The Council of the District of Columbia salutes Joseph H. Cole for his lifetime of beneficial public service, and proclaims Friday, January 16, 1975, as Joseph H. Cole Day.

Sec. 3. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to Joseph H. Cole.

Sec. 4. This resolution shall take effect immediately upon its adoption.

A RESOLUTION

In the Council of the District of Columbia

To honor Joseph H. Cole and to proclaim Friday, January 16, 1976, as
Joseph H. Cole Day.

Whereas, Joseph H. Cole has retired from the Directorship of the Department of Recreation after forty years of valuable service to the children and residents of Washington, D.C.; and

Whereas, the leadership of Joseph H. Cole has enhanced the recreational resources of Washington with the addition of ten swimming pools, fifteen Walk-to-Learn-to Swim pools, expanded recreational hours, twenty-one recreational centers, and a 350-acre resident camp; and

Whereas, Joseph H. Cole's foresight has made Washington, D.C. a national leader in the development of municipal centers for the physically and mentally handicapped; and

Whereas, Joseph H. Cole's efforts have received awards from the National Sports Foundation, the National Therapeutic Recreation Association and the American Association for Mental Deficiency; and

Whereas, Joseph H. Cole's professionalism and dedication has creatively, constructively and irrevocably touched the mind, the body and the heart of all of Washington,

NOW, THEREFORE, BE IT:

Resolved, by the Council of the District of Columbia,

STATEMENT INTRODUCING THE JOSEPH COLE
RESOLUTION

Today, I ask my colleagues to join me in honoring Joseph H. Cole for his dedicated service to the District of Columbia Department of Recreation. Through his leadership, Washington has constructed the first municipal recreation center for the mentally and physically handicapped in the country. His administration has been characterized by the beginning of a comprehensive program for the mentally handicapped.

I must commend him for his fine accomplishment in the development of recreational facilities: during the 9-1/2 years of his directorship, 46 multi-use centers and swimming pools have been constructed in all areas of the city. One of his notable accomplishments in this area has been the 350-acre camp in Scotland, Maryland. The Youth Gardens program has served to broaden the recreational horizons of urban youth.

The following resolution is presented in recognition of his accomplishments in his professional career and to wish him every success in his new career of leisure.

Arthur W. Hobson

A RESOLUTION

In the Council of the District of Columbia

To honor Joseph H. Cole and to proclaim Friday, January 16, 1976, as
Joseph H. Cole Day.

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Whereas, the leadership of Joseph H. Cole has enhanced the recreational resources of Washington with the addition of ten swimming pools, fifteen Walk-to-Learn-to Swim pools, expanded recreational hours, twenty-one recreational centers, and a 350-acre resident camp; and

Whereas, Joseph H. Cole's foresight has made Washington, D.C. a national leader in the development of municipal centers for the physically and mentally handicapped; and

Whereas, Joseph H. Cole's efforts have received awards from the National Sports Foundation, the National Therapeutic Recreation Association and the American Association for Mental Deficiency; and

Whereas, Joseph H. Cole's professionalism and dedication has creatively, constructively and irrevocably touched the mind, the body and the heart of all of Washington,

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Sec. 4. This resolution shall take effect immediately upon its adoption.

January 12, 1976

Ms. Brenda Joyce
1825 Tulip Street, N.W.
Washington, D.C. 20012

Dear Ms. Joyce:

I regret I will be unable to attend the reception in honor of Rev. Jesse L. Jackson, tonight. Please excuse this very late response, I had hoped my schedule might have permitted my attending.

Sincerely,

Julius W. Hobson

January 7, 1976

Note to: JONATHON CAHN

Attached are titles of suggested readings , including
copies of the cover pages of two of the "Damned
Publications" . from Mr. Hobson.

Lorraine McCottry

Selected Guide References

The following list of references provides examples of the various types of data available to a city school system. Those listed with an asterisk are suggested as background reading for persons interested in developing a graphic presentation of their own school system.

- ✓ * Center for Urban Education, *The Center Forum*, "Hobson v. Hansen—What is Law For?" Volume 2, No. 1, New York, New York, July 5, 1967.
- * Center for Urban Education, *The Center Forum*, "School Business II—Educational Audit: A Proposal" Volume 3, No. 6, May 15, 1969.
- Hobson, Julius W. and Dr. John A. Sessions, Congress of Racial Equality, Americans for Democratic Action: Paper—*Economic and Racial Discrimination in the D.C. Public Schools*, 1964.
- Knox, Ellis O., *Democracy and the District of Columbia Public Schools*, 1957, Washington, D.C., Judd & Detweiler, Inc. 131 pp.
- ✓ National Capital Area Civil Liberties Defense and Education Fund, *Civil Liberties Fund: An Evaluation of the Decision in Hobson v. Hansen*, February 1968, 58 pp.
- ✓ National Committee for Support of the Public Schools, *Special Report*, "School Finance: A Matter of Equal Protection?", Washington, D.C., February, 1970, 7 pp.
- National Education Association, *Guidelines for Effective Representation of Teachers*, No. 9, 1969.
- ✓ National Education Association, Research Division, Research Report, 1968-R11, *Selected Statistics of Local School Systems*, 1966-67.
- ✓ Public Law 90-292, 90th Congress, H.R. 13042, April 22, 1968, *District of Columbia Elected Board of Education Act*, 82 Stat. 101, 7 pp.
- Public Schools of the District of Columbia, *Chart A—Special Projects and Programs*, William R. Manning, Superintendent of Schools, June 5, 1969, 38 pp.
- * Public Schools of the District of Columbia, *Chart B—Average Expenditure per Pupil for FY 1963, FY 1965, FY 1968*, William R. Manning, Superintendent of Schools, May 26, 1970.
- Public Schools of the District of Columbia, *Chart C—Equipment Inventory Fiscal Year 1969*, William R. Manning, Superintendent of Schools, June 16, 1969.
- Public Schools of the District of Columbia, *Chart D1—Curriculum Progress in English and Chart D3—Curriculum Progress in Mathematics*, William R. Manning, Superintendent of Schools, May 26, 1969.
- Public Schools of the District of Columbia, *Chart D2—Curriculum Progress in History*, William R. Manning, Superintendent of Schools, April 14, 1969.
- Public Schools of the District of Columbia, *Chart E—Curriculum Progress by Subject Areas, School Years 1960-61, 1966-67, 1967-68*, William R. Manning, Superintendent of Schools, 1969.
- * Public Schools of the District of Columbia, *Chart F—Books per Pupil—FY 1969*, William R. Manning, Superintendent of Schools, April 24, 1969.
- Public Schools of the District of Columbia, *Chart G—School Libraries*, William R. Manning, Superintendent of Schools, April 25, 1969.
- * Public Schools of the District of Columbia, *Membership Report (Elementary School Teachers)*, Dr. Dorothy L. Johnson, June 5, 1969.
- * Public Schools of the District of Columbia, *Pupil Enrollment, Pupil Drop-Out and Percent of Drop-Outs in the Senior High Schools, By Schools, for the School Years 1964-65 Through 1968-69*, December 23, 1969.
- Public Schools of the District of Columbia, *A Report of Conditions in the Personnel Division*, January 8, 1969.

* Public Schools of the District of Columbia, *Test Results—Grades 4, 6, 9, and 11 Reading*, Department of Pupil Personnel Services, Pupil Appraisal Division, Mr. James V. Shannon, Director, Pupil Appraisal Division, Dr. Wilbur A. Millard, Assistant Superintendent, Department of Pupil Personnel Services, Dr. William R. Manning, Superintendent of Schools, June 1969.

* Public Schools of the District of Columbia, Various loose leaf statistical publications on School Capacity, Personnel, Status of Teachers, Pupil Enrollment, Drop-Outs, etc. Prepared by Department of Automated Information Systems—Statistical Office.

* United States Congress, House of Representatives, 89th Congress, First and Second Sessions, Committee on Education and Labor, Hearings before the Task Force on Antipoverty in the District of Columbia on *Investigation of the Public School System in the District of Columbia and Its Relation to Poverty*, Washington, October 1965 and January 1966, 868 pp. (P. 235, October 26, 1965, Julius W. Hobson's Testimony, Investigation of the Schools and Poverty in the District of Columbia. P. 822, copy of formal complaint in the Hobson v. Hansen case).

* United States Congress, House of Representatives, 89th Congress, Second Session, Committee on Education and Labor, Committee Print, *A Task Force Study of the Public School System in the District of Columbia As It Relates to the War on Poverty*, United States Government Printing Office, June 1966, 119 pp.

* United States Congress, House of Representatives, 91st Congress, 1st Session, Committee Print, Committee on Education and Labor, *A Compilation of Federal Education Laws*, February 1969, 707 pp.

* United States Court of Appeals for the District of Columbia Circuit, No. 21,167, *Carl C. Smuck, a Member of the Board of Education of the District of Columbia, Appellant v. Julius W. Hobson, et al., Appellees*. No. 21,168, *Carl F. Hansen, Superintendent of Schools of the District of Columbia, Appellant v. Julius W. Hobson, et al., Appellees*, Appeals from the United States District Court for the District of Columbia, January 21, 1969, 41 pp.

United States Department of Commerce, United States Bureau of the Census, *Statistical Abstract of the United States*, 1969, Washington, D.C., United States Government Printing Office, 1032 pp.

* United States Department of Commerce, Bureau of the Census, U.S. Census of Population, *District of Columbia: Economic Characteristics: 1960*.

* United States District Court for the District of Columbia, *Hobson v. Hansen*, Honorable J. Skelly Wright, Judge, United States Court of Appeals for the District of Columbia, Sitting by Designation, Reprinted from 269 Federal Supplement, June 19, 1967, pp. 410-519.

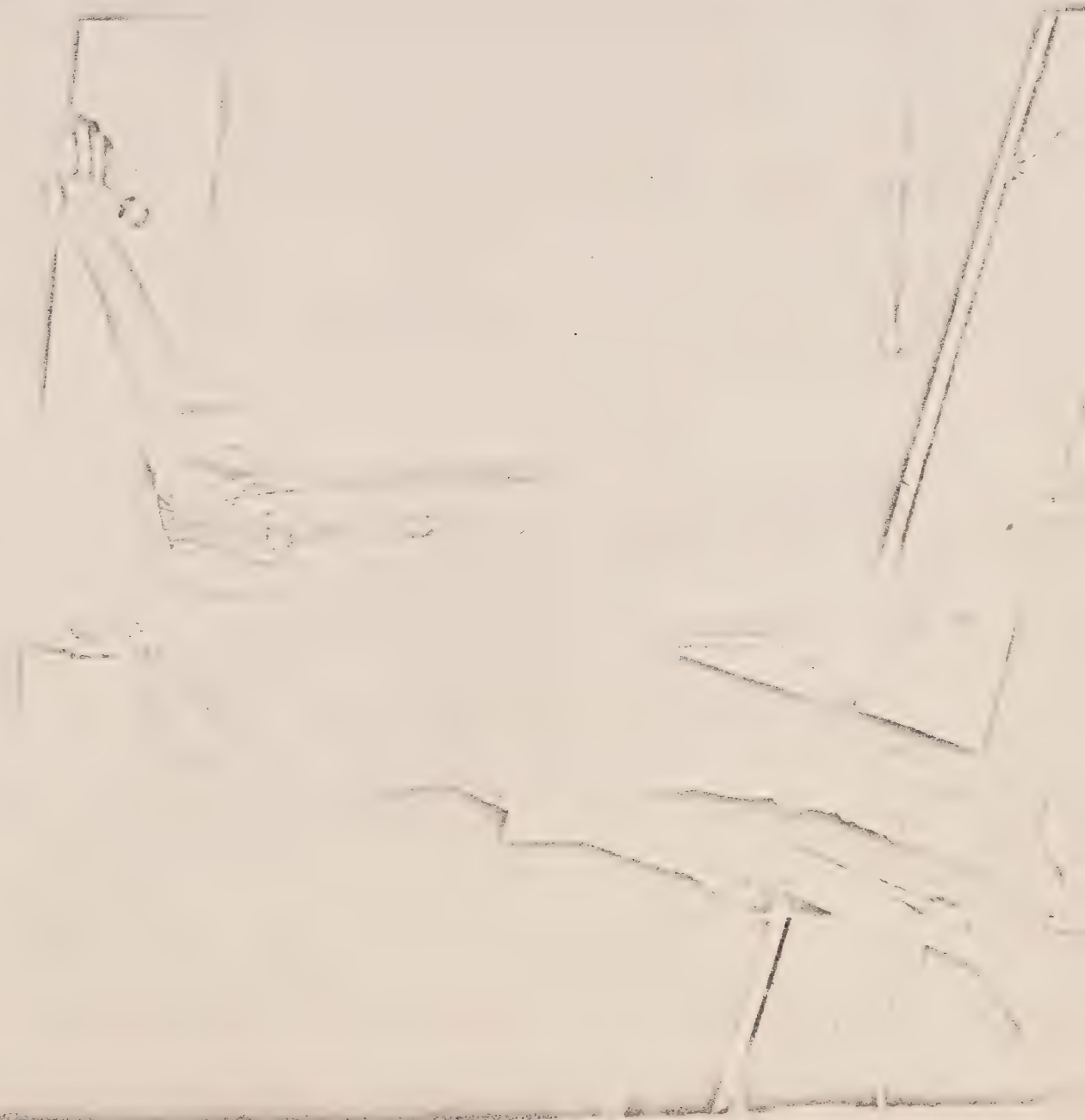
* University of Michigan, Department of Psychology, *Final Report—Effects of Ability Grouping in Schools Related to Individual Differences in Achievement-Related Motivation*, John W. Atkinson and Patricia O'Connor, Office of Research Administration, Ann Arbor, March 1963.

* University of Minnesota, Department of Educational Administration, College of Education, *Administrative Leadership, "Ability Grouping"* by W. Ray Cross, A. Harry Passow, Julius W. Hobson, and Carl F. Hansen, Volume V, Number 1, February 1969, 48 pp.

* Washington Research Project of the Southern Center for Studies in Public Policy and the NAACP Legal Defense and Educational Fund, Inc., *Title I of ESEA, Is It Helping Poor Children?*, Rev. December 1969, Washington Research Project and NAACP Legal Defense and Educational Fund, Inc., 73 pp.

DAMNED

Julius W. Hobson



THE DAMNED INFORMATION

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Council of the District of Columbia Report

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To COUNCILMEMBERS
From Committee on Education, Recreation, and Youth Affairs
Julius W. Hobson, Chairman
Date January 8, 1976
Subject Bill 1-48, "Child Labor Amendments of 1975"

TO JAN 17 11:00
OFFICE OF THE SECRETARY
DISTRICT OF COLUMBIA COUNCIL

The Committee on Education, Recreation, and Youth Affairs has for report a bill "To extensively revise the child labor laws in the District of Columbia, and for other purposes." The bill was submitted by the Board of Education, introduced by Chairman Tucker to the Council on March 18, 1975 and referred to the Committee on Education, Recreation, and Youth Affairs. The bill was published in the D.C. Register on March 21, 1975.

Background

At its regular meeting of February 19, 1975, the Board of Education approved this legislative proposal with the intent of modernizing and streamlining the child labor laws and their implementation. The amendments proposed in Bill 1-48 were initially introduced by the Board of Education to Congress in 1969, reflecting a response to concerns received by the School Attendance and Work Permits Branch, D.C. Public Schools, from minors, parents, citizens, employers, the Department of Labor, the Office of Youth Opportunity Services, D.C. Manpower, and the Mayor's office. The proposed revisions further resulted from provisions embodied in 1972 amendments to the Civil Rights Act of 1964 and regulations promulgated pursuant to the Fair Labor Standards Act.

The purpose of Bill 1-48 is to extensively revise the child labor laws of the District of Columbia, enacted May 29, 1928 (D.C. Code, Title 36, Sec. 201 to Sec. 228). The proposed amendments would assure age and sexual uniformity for the hours of employment and types of occupation for all minors. The bill would remove antiquated, obsolete, and restrictive provisions which hinder the employment of minors. Concurrently, the bill will protect working youth from exploitative treatment and prohibit their employment in dangerous and hazardous occupations.



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

REPORT OF THE COMMITTEE ON EDUCATION, RECREATION
AND YOUTH AFFAIRS ON THE "CHILD LABOR AMENDMENTS
OF 1975," COUNCIL BILL 1-48, AS AMENDED

January 8, 1976

Julius W. Hobson, Chairman
William R. Spaulding, Member
Willie J. Hardy, Member
Sterling Tucker, Ex-officio Member

Patricia Evans Miner, Committee Clerk
Louis S. Aronica, Legislative Assistant

Purpose

Specifically, the amendments would:

1. Provide uniformity in the allowable hours for employment of both males and females; previously, numerous provisions existed which limited females to shorter hours than males or required an older age for certain hours of employment.
2. Allow the issuance of theatrical permits for minors to appear in professional sports activities, radio and television programs, theatrical, motion picture, musical or other similar productions, and as fashion models.
3. Eliminate the requirement for a special physical examination for minors under 16 years of age prior to obtaining a permit; instead, parental approval would serve as sufficient indication of fitness for employment.
4. Eliminate the need for parents to accompany the minor when applying for a permit, by allowing the substitution of a written approval statement. The requirement of parental accompaniment is retained for minors who wish to withdraw from school in order to work.
5. Change the requirements of proof of age. A school record may be substituted for a birth certificate as the primary proof of age.
6. Increase the penalties for repeated violations of the provisions of the Act.
7. Prohibit owners or employees of business establishments from allowing minors under 16 years of age, who are required by law to attend school, to loiter or unlawfully remain on the premises of a business establishment during school hours.

A detailed section-by-section analysis of the amendments made by Bill 1-48 to the Act of 1928 is included in the report. In addition, a display of the D.C. Code, Sections 36-201 to 36-228, as amended by Bill 1-48, is provided for ease of recognition of the changes and the full provisions of the law if Bill 1-48, as reported, is enacted by the Council.

An earlier proposal of the Board of Education to the Congress would have eliminated the present work permit system and replaced it with a general certificate of eligibility, issued to a given minor for a period of years. Their rationale for preserving the work permit system in Bill 1-48 resulted from a survey of the Department of School Attendance and Work Permits of the New York Public School System, which indicated that a number of the cities which had adopted the certificate system

had returned to the permit system. The certificate of eligibility was discontinued in most localities which had earlier adopted it, because such a system removes the enforcement controls inherent in a permit system. The certificate of eligibility system did not permit the monitoring of types of employment and, furthermore, failed to provide safeguards for the welfare and safety of the minor.

Requirements of the present law have made both implementation and enforcement extremely difficult for the D.C. Public Schools. Because birth certificates are often unavailable, school records would be substituted as an acceptable proof of age. Physical examinations were required of minors under 16 years of age, prior to application for a work permit. Health services were severely curtailed in the work permit process due to a decrease in medical personnel in the Department of Human Resources. Because the School Health Services Branch of the Department of Human Resources could not perform physical examinations, the Board of Education determined that the requirement for a physical examination should no longer be necessary for the issuance of a work permits.

Present provisions of the law specify that two work permit inspectors be appointed; this dates back to the dual segregated school system. The proposed bill authorizes the Board of Education to appoint such number of child labor inspectors or other employees as may be necessary to enforce the provisions of the Act.

Fiscal Considerations

The Office of Budget and Management Systems has advised that no costs would be incurred as a result of the enactment of Bill 1-48. According to the Superintendent of Schools, operational costs for the issuance of work permits and inspections of work sites for the period beginning January 1 through December 31, 1975 have totalled \$79,867; of this amount, \$40,816 was charged to the regular operating fund and \$39,051 was funded under a federal impact aid grant.

Enactment of Bill 1-48 would not cause any increase in the operational cost of this program. However, the Board of Education would be given the discretion to authorize any amount of funds and number of employees it deemed appropriate to carry out the provisions of the Act.

Executive Comments

No negative comments have been received from the Executive Branch on Bill 1-48. The Department of Human Resources has no objections to the proposed revisions; concern was expressed by that agency that certain federal provisions have served to limit minors' participation in vocational rehabilitation programs. The Office of Budget and Management Systems had no objections to the proposed bill.

The Corporation Counsel stated that Bill 1-48 is similar to bills submitted to the 92nd and 93rd Congress by the Board of Education; he further commented that, since other jurisdictions which had previously utilized the certificate of eligibility system have returned to a permit

system, retaining the permit system in the District of Columbia seemed appropriate. Several technical changes were suggested by the Corporation Counsel and have been incorporated by the Committee.

Committee and Public Review of the Bill

A roundtable discussion was held by the Committee on Education, Recreation, and Youth Affairs on Bill 1-48 on October 30, 1975. Included in this report is a summary of the comments and suggestions made by the participants of the roundtable discussion. Expressed concerns focused on the deletion of the physical examination prior to issuing a permit, the inspection of work-sites and enforcement of provisions regulating conditions and types of employment, and the relationship of youth employment to education and the economy.

Several suggestions were received by the Committee that the inspection of employment situations be transferred to the pending Department of Labor. The Mayor's Task Force on Labor, which is charged with recommending a design for the creation of a Department of Labor in the District of Columbia, has decided to include the enforcement of child labor laws and issuance of work permits in the proposed department. The President of the Board of Education, in a letter dated November 18, 1975 to Chairman Hobson, stated that it was the Board's position that the enforcement of the Child Labor Law has been carried out more than adequately. The staff of the office of School Attendance and Work Permits issued 24,536 permits in 1975 and has strictly enforced the prohibitions established by law. She further commented that a close working relationship has been established between the D.C. Public Schools, the D.C. Manpower Office, the Office of Youth Opportunity Services, and the Mayor's office.

Broader considerations were raised about the high rate of youth unemployment, the necessity for relevant career education and counseling, the nature of the job market, and governmental efforts to insure meaningful job opportunities to both youth and adults. However, it is the judgement of the committee that these considerations are beyond the scope of the present bill.

The Committee would like to maintain the physical examination requirement; however, serious questions exist about the resources available for the performance of the examinations. The Office of Youth Opportunity Services' summer employment programs are responsible for a substantial number of the requests for permits in the spring and summer (see attached Table II). Explorations should be made by the Board of Education to ascertain whether the Office of Youth Opportunity Services could be required to fund the medical personnel to perform the examinations during the high load period from April through July; the Department of Human Resources could conceivably provide the examinations during the remainder of the year.

Attached is data for the number of work permits issued for FY 1974, and FY 1975 and a portion of FY 1976, as well as a detailed table of the number of work permits issued during the summer months for the same years (See Tables I and II attached).

Violations of the Child Labor Law have rarely been referred to the courts for prosecution. Compliance is usually effectuated by the Child Labor Inspectors after violations are indicated to prospective employers.

Committee Action

Having received no additional adverse comments, the Committee on Education, Recreation, and Youth Affairs approved Council Bill 1-48, as amended, at its meeting of January 8, 1976. The vote for its approval was as follows: Hobson - "aye" and Spaulding - "aye." (Hardy and Tucker - absent) The Committee reports favorably thereon and recommends its adoption.

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2. Section-by-section analysis of the amendments made by Bill 1-48 to the 1928 Act on the Employment of Minors.
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4. D.C. Code, Title 36, Sec. 201 to Sec. 228, as amended by Bill 1-48, as reported.
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8. Executive Comments on Bill 1-48, as introduced.

The section-by-section analysis details provisions of the Act of 1923 entitled "An Act To regulate the employment of minors within the District of Columbia" (D.C. Code, sec. 36-201 to sec. 36-228) and the amendments to this Act made by Bill 1-48 as reported. Bill 1-48 provides for renumbering of many of the sections of the 1923 Act; revisions are made by repealing, combining or amending various sections.

Sec. 1. This section provides for general limitations on the employment of minors under fourteen (14) years of age. It precludes employment under age 14 except as connected with a minor's home or for the minor's parent. Reference is made to an additional exemption for minors ten (10) years of age and over delivering newspapers on fixed routes as provided below in Sec. 15.

The amendments made by Bill 1-48, as introduced, changed the word "child" to "minor" throughout and replaced the word "boy" with "minor", thus uniformly allowing all minors of 10 years or older to distribute newspapers. Bill 1-48 adds the phrase, "except as provided in section 6" (Sec. 7a in the Act of 1923 which is renumbered by Bill 1-48 as Sec. 6), which points out that an existing exemption allows minors under age 14 to be issued theatrical permits.

The committee added language pointing out the exemption for employment of minors under 14 for casual or irregular employment as provided in Sec. 7. (Sec. 8. of the Act of 1923).

Sec. 2. This section provides for the number of days and hours of work permitted for minors under eighteen (18) years of age, as well as the starting and ending hours of work for minors sixteen (16) and seventeen (17) years old, and for fourteen (14) and fifteen (15) year old minors. Also it mandates the posting of notices detailing all pertinent regulations at places of employment as well as a record of minors employed at that establishment. This provision specifies that the presence of minors beyond the authorized hours constitutes prima facie evidence of a violation of the law.

The amendments made by Bill 1-48, as introduced, eliminate the words "boy" and "girl" (substituting the word "minor") and provide sexual uniformity for work hours. The hours of work allowed for 16 and 17 year old minors have been left unchanged (6 A.M. to 10 P.M.) and the hours for 14 and 15 year olds is also retained (7 A.M. to 7 P.M.); an additional

summer exemption is allowed for employment to 9 P.M., 36
 thereby conforming with federal regulations. In addition, 37
 the requirement that employers maintain a record of the 37
 hours allowed for minors' meals is deleted. 38

Sec. 3. This section prohibits unsafe or dangerous work 40
 for minors. The Board of Education can hold hearings and 41
 issue orders prohibiting unsafe or dangerous employment, 42
 however, such hearings and orders may not lessen the age of 42
 employment for minors nor expand the hours of employment, if 43
 such conditions are specified in the Act. 43

Bill 1-48 amends the existing language prohibiting 45
 employment, without hearings, in any work situations found 46
 by the Secretary of Labor to be particularly hazardous, 46
 under the authority of the Fair Labor Standards Act. 47

Sec. 4. This section prohibits minors under 16 years 49
 old working with power operated machinery (other than hand- 50
 or-foot-powered) or in oiling, wiping or cleaning of 50
 machinery of any sort. 50

The committee amended this provision by permitting approved 52
 vocational education~~ing~~ or training programs under the 53
 auspices of the Board of Education and the Trustees of the 53
 University. This amendment allows flexibility for school 54
 programs such as automobile or machine or aerospace repair 55
 courses. 55

Sec. 5. Employment of minors under 18 years old in 57
 elevators, quarries, tunnels or excavations is forbidden. 57
 It further prohibits employment in the sale, manufacture or 58
 preparation of tobacco products by all minors under 18. 59
 Girls under 18 are prohibited from working in hotels or 60
 apartments, as ushers, attendants or ticket sellers in 61
 theaters, and as messengers. 61

Bill 1-48, as introduced, amends this section, allowing the 63
 operation of automatic elevators, and permits work in 64
 quarries. It further deletes all prohibitions pertaining to * 65
 tobacco, hotels, apartments, theaters and messengers. * 65

The committee amended Bill 1-48 by reinstating the 66
 prohibition against employment of minors under 18 years of 66
 age in quarries.

Sec. 6. This section prohibits the employment of 13 to 21
year olds as messengers during certain hours. This is the
only section of the Act of 1928 in which 13 to 21 year olds
are considered as minors for purposes of employment.

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Bill 1-48, as introduced, repeals this section entirely.
This action is in consonance with federal regulations and
with Council action by the lowering of the age of majority.

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Sec. 7. This section provides limitations on minors under
16 years of age in regard to employment as an acrobat,
gymnast, beggar, street singer, or musician.

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Bill 1-48, as introduced, repeals this entire section.
Portions of the repealed section which are not outdated have
been included in Bill 1-48 as revisions of Sec. 7a.

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Sec. 7a. This section allows the issuance of a work permit
for theatrical, vaudeville, concert appearances, and musical
recitals by minors under 13 years of age. It specifies that
such minors must be at least 7 years old and limits the time
and frequency of appearances per week for any minor issued a
theatrical permit. It requires that the permit be obtained
by the parent of the minor and, further, that the Board of
Education be satisfied that the minor's health and education
are safeguarded. The Board is authorized to issue rules and
regulations to protect the health, morals and safety of such
minors.

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Bill 1-48, as introduced, revises this section substantially
by including dance recitals, professional sports activities,
circus, radio and television programs, motion pictures and
fashion modelling as allowable theatrical employment. It
further provides that the minor's agent, in addition to the
parent, be authorized to make application for the permit.
This section repeals the requirement that the Board issue
rules and regulations to protect the health morals, and
safety of minors issued theatrical permits, ~~since it shall~~
authority for ~~any~~ regulations is included in Sec. 29 as amended.

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The committee amended Bill 1-48 by deleting three times, the
word "his" and replacing it with non-sexual references. In
addition, the committee reinstated the provision that the
Board shall have authority to issue rules and regulations
protecting the health, morals and safety of minors issued
theatrical permits.

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delete

Sec. 8. This section specifies that an employer keep a permit on file for any minor 14 to 18 years old as a condition for employing the minors. This file must be accessible to any person authorized to enforce the provisions of the Act. Casual or irregular work in the home of the employer is allowed outside of school hours for minors 14 to 18, if such work is not connected with or a part of the business or trade of the employer, and if the nature of the work is not otherwise prohibited.

Bill 1-48 deletes the word "children" and substitutes the word "minor".

The committee further deleted the word "his" and replaced it with the word "the", as well as provided an amendment which allows minors under 14 years old to engage in casual or irregular work, such as mowing lawns and babysitting, without obtaining either a work permit or work badge.

Sec. 9. This section directs that the work or vacation permit be issued by the director of school attendance and work permits and specifies the required information (i.e., name, sex, birth, residence and school data) to be entered on the permit. Such permit data must fulfill the requirements of the various provisions of the Act and shall be signed by the person issuing the permit. In addition, this section requires that the permit shall contain data on the employer (i.e., name, address and nature of the work to be performed by the minor), be numbered, show an issue date, and be signed by the minor in the presence of the person issuing the permit. The permit must be mailed to the employer. This section further requires that a file of issued permits be maintained in the office of school attendance and work permits, along with a certificate of physical fitness issued by a physician for each minor, the minor's school record, and the employer's statement of intent to employ the minor. It further specifies that lists be sent to each school giving the name and address of all minors from that school issued work permits.

Bill 1-48, as introduced, amends this section by: (1) requiring that the Board of Education issue work permits, rather than the director of school attendance and work permits; (2) deleting the requirement of stating the color (race) of the minor on the permit; (3) allowing the permit either to be mailed to the employer, or delivered by the minor to the employer in order to enable the permit to be

obtained by the actual employer in those cases where the address of the employer is general (e.g., the Department of Labor) ; (4) specifying that the Board of Education, rather than the director of school attendance and work permits, keep the file of permits issued; (5) eliminating the need for certificates of physical fitness to be kept in the file; and (6) deleting the requirement that lists of minors issued permits be sent to each school.

Sec. 10. This section specifies that the following requirements be met prior to issuance of a work permit: (1) the minor must apply in person; (2) a minor under 16 must be accompanied by the parent; and (3) the office issuing such permits must receive, examine and approve the following documents: (a) a statement from the employer indicating intention to employ, which must include the nature of the work to be offered, the hours and days the minor is to be employed, and an agreement to notify the office of the commencement of employment, as well as the termination of employment by returning the work permit for the minor; (b) proper evidence of age; (c) a certificate of physical fitness (signed by a Board of Health doctor, detailing the height and weight of the minor, verifying a thorough examination of the minor, attesting to the normal development and general health of the minor, and stating that the minor is physically qualified to do the work specified in the intention of employ statement); and (d) a school record for minors under 16, signed by the teacher and school principal, verifying that the minor is able to read and write English, has satisfactorily completed the 8th grade either in a public school or the equivalent in a private or parochial school, and showing the name, birth date, grade last completed, and the minor's residence as shown on the records of the school.

This section is amended by Bill 1-48 by : (1) specifying that the Board of Education issue the permit and approve the required documents; (2) eliminating the general need for the parent to accompany a minor under 16 when applying for a permit and substituting a written parental consent statement; (3) continuing the requirement that the parent accompany the minor under 16 when the minor withdraws from school to go to work and that the parent give consent at the time of this visit; (4) eliminating the requirement of a physical examination prior to issuing the work permit; (5) requiring that the filing of a school record is necessary only for those minors who withdraw from school; and (6) eliminating certain information needed on the school record for those minors withdrawing from school, (that is, the

signature of the teacher and certification that the minor
can read and write English). 167
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The committee amended this section by changing the phrasing
in three places where the words "he" and "his" appear. 169
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~~Section~~ 11. This section prescribes the documents 171
necessary to establish evidence of age prior to the issuance 172
of a work permit. The following are deemed acceptable as 173
proof of age and preferred in the order listed: (1) a birth 173
certificate; (2) a baptismal record; (3) a bona fide record 174
of birth as recorded in the family bible; 4) either a 175
passport, immigration papers, or a life insurance policy, if 175
any of these have been in existence for at least one year 176
prior to the time they are offered as evidence of age; or 176
(5) a certificate of physical age issued by a school medical 177
inspector based on a physical examination, accompanied by 178
either (a) a parent's affidavit of age, or (b) a record of 178
age as given at the commencement of school or from the
earliest available school census. If any of these show the 180
age to be less than 14 years, then the minor is to be denied 180
a work permit. Proof of age by a birth certificate is 181
deemed preferable to any of the other proofs of age. Lesser 182
proofs of age (in the order listed) cannot be accepted 182
unless substantial evidence is filed that more convincing 183
proofs of age cannot be obtained. Provision is made to 184
allow either the issuance or cancellation of a work permit, 184
if later evidence by a preferred proof of age becomes 185
available and conclusively contradicts previously used 185
proofs of age. 185

Bill 1-48 amends the proof of age requirements by: (1) 187
elevating to second preference of proof school records or 188
school census information, (2) entirely eliminating all 188
requirements for a certificate of physical age; (3) 189
eliminating the need to file substantial evidence that 189
higher ranked proofs of age are not available in order to 190
allow acceptance of lesser proofs of age; and (4) 190
eliminating the language specifying that evidence later 191
available can be used to reverse action on either granting 191
or cancelling a permit. It is understood that 193
administrative procedures will take into account the essence 193
of the last two provisions that have been eliminated, but 194
that specific language in the Act is unnecessary. 195

The committee amended the language in this section by 197
replacing the words "child" or "child's" by "minor" or 198
"minor's" in four instances. 198

Sec. 12. This section provides for a vacation permit 200
for minors between 14 and 16 years of age permitting 200
employment during the summer or school term outside of 201
school hours. Such minors must have fulfilled all the 202
requirements for obtaining a regular work permit, except 202
that they need not have finished the 8th grade as required 203
by the regular work permit. Vacation permits must be 204
printed on a different colored paper than regular permits. 204

Bill 1-48 amends this section by transferring the authority 206
for issuing vacation permits from the director of the 207
department of school attendance to the Board of Education. 207

Sec. 13. This section requires that every employer 209
inform the issuing officer of the commencement date of 210
employment of the minor for whom the permit was issued 210
within three days of receipt of the permit. 210

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Similarly, the employer must return the permit to the issuing 212
officer three days after termination of employment by the 213
minor. Failure by the employer to give such notification of 214
employment is cause for cancellation of the minor's permit; 215
failure to return the permit after termination is cause to 215
refuse to issue any further permits for that employer. 216
Returned permits are to be filed and local school 217
authorities notified of the return of the permit for a given 217
minor. The minor must obtain both a new certificate of 219
physical fitness and a "intent to employ" statement in order 219
to be issued a new permit after termination of previous 220
permit. 220

Bill 1-48 repeals this entire section. The requirement that 223
employers notify the issuing officer of commencement or 223
termination of employment has not been complied with in many 224
cases. Enforcement of this regulation would take 225
substantial effort; enforcement would also subject the minor 225
to denial of employment through no fault of the minor. 226

Sec. 14. This section specifies, if any person 228
authorized to enforce this law has reason to believe that 229
someone employed in an occupation for which a permit is 229
required is less than 13 years of age, that a review process 230

is to be initiated. The employer is required to furnish evidence within 10 days which demonstrates that the employee is 18 years of age, or, if such evidence cannot be established, the employer is required to either terminate or refuse work to that employee (unless a proper permit is obtained and filed within 10 days). If it can be established that an employer has been requested and has failed to furnish proof of age or to cease the employment or obtain a valid permit within the required 10 days, then documentation of such demand and failure is prima facie evidence of unlawful employment of a minor.

The committee amended this section by changing the word "child" to "minor".

Sec. 15. This section provides for penalties for violation of the provisions of the Act. Any employer who permits unlawful employment of a minor or who interferes, obstructs or hinders inspection of the place of employment, or any parent who has control or custody of a minor and permits the minor to be employed in violation of the provisions of the Act, shall for the first offense be fined not less than \$25 nor more than \$100, jailed not less than 10 days nor more than 30 days, or both. For subsequent offenses the fine ranges from not less than \$50 to not more than \$200, jailed not less than 30 days nor more than 90 days, or both, at the discretion of the court. Each day such violation continues is considered a separate offense.

Bill 1-48 amends this section by specifying that the Board of Education has the authority to inspect the places of employment, as well as by changing the maximum fine for subsequent violations from \$200 to \$300.

The committee amended this section by replacing the words "his" and "him" with non-sexual references.

Sec. 16. This section authorizes the enforcement of the provisions of the Act, the making of complaints against violators, and the prosecution of violators. It provides for the authority to visit, inspect, and enter any place where minors are employed and to have access to the file of permits and other records necessary to enforce the Act. It further provides that the director of school attendance and work permits, school inspectors and agents, persons authorized to issue certificates of physical fitness,

attendance officers and probation officers are given the 261
authority of enforcement. 261

Bill 1-48 amends this section by specifying that the Board 263
of Education has the authority to visit, inspect and have 264
access as stated above. School inspectors and agents would 265
retain this authority under the Board's auspices; persons 265
authorized to issue certificates of physical fitness, 266
attendance officers and probation officers are deleted from 267
the list of those authorized to enforce the Act. These 268
changes are designed to clarify the enforcement authority 268
and to keep the employers from being deluged with separate 269
inspections and visits by a variety of different persons, 269
rather than fewer and more thorough visits by designated 270
inspectors. 270

Sec. 17. This section permits employment of minors 16 272
to 18 years old in stuffing newspapers, if such employment 273
is limited to 40 hours in any week and not more than one 273
night in a week. It prohibits minors under 12 years of age 274
from distributing or selling newspapers, handbills, 274
circulars, magazines, articles and merchandise or 275
bootblacking in any street or public place, except that 276
minors 10 years old and over may deliver newspapers on fixed 276
routes. 276

Bill 1-48 amends this section by: (1) changing "boy" or 278
"girl" wherever they appear to "minor", thus making the 279
provisions of this section sexually uniform; and (2) adding 279
a provision which prohibits minors under 16, from working 280
before 6 A.M., or after 7 P.M. or, unless the minor holds a 280
work permit, during school hours. This latter provision is 282
similar to section 18 of the 1928 Act which would be 282
repealed by Bill 1-48. It should be noted that the hours of 283
6 A.M. to 7 P.M. differ from the hours specified in section 283
2, to allow newspaper delivery at a timely hour in the 284
morning. 284

The committee amended Bill 1-48 as follows: (1) replacing 286
the word "so" with "stuffing newspapers", so as to make 287
explicit the intent of the clause in which it appears; (2) 287
adding to the language on distribution of handbills and 288
circulars, to clarify that this section does not prohibit 289
the distribution of political literature or petitions if the 289
minor receives no monetary payment and does so in a casual 290
or irregular manner; and (3) changing the words 290

"postmeridian" and "antomeridian" to read "in the evening" 291
and "in the morning". 291

Sec. 18. This section provides that boys under 16 years 293
of age may not work in the trades detailed in section 17, 294
except between the hours of 6 A.M. and 7 P.M., and unless 294
holding a work permit for work during school hours. 295

Bill 1-48 repeals this section. These provisions are 298
contained in the amendment to Sec. 17. above. 298

Sec. 19. This section requires street-trades badges for 300
the occupations or trades mentioned in section 17; any 301
minor under 16 years must procure and carry in plain sight, 301
a street-trades badge. The minor must meet all legal 302
requirements of school attendance while working under the 302
status of a street-trades badge. 303

Bill 1-48 amends this section by changing the word "boy" to 305
"minor" and by specifying that the Board of Education has 306
the authority to issue the street-trades badge. 306

The committee amended Bill 1-48 by dropping the word "he" 308
and by eliminating the phrase "carry on his person" and 309
replacing it with "wear". 309

Sec. 20. This section specifies the process of issuing 311
street-trades badges. The badge is to be issued only upon 312
the minor's application in person accompanied by the parent. 312
The following documents must be presented: (1) evidence of 313
age; (2) evidence of physical fitness; and (3) a statement 314
signed by the school principal and classroom teacher 314
attesting to regular enrollment, the grades of the minor, 315
and certifying that the minor is physically and mentally 315
qualified to work without affecting the minor's progress in 316
school. A work permit is considered a suitable substitute 317
for a badge for the trades specified in section 15 317
(formerly Sec. 17.; renumbered by Bill 1-48). 318

Bill 1-48 amends this section by: (1) clarifying that the 320
Board of Education has the authority to issue the street- 321
trades badge; (2) eliminating the need for the parent to 321
accompany the minor when applying for the street-trades 322
badge and substituting in its place, a statement of written 322

consent by the parent; (3) eliminating the need for a 323
 certificate of physical fitness; and (4) eliminating the 324
 statement by the principal and teacher as specified above. 324

Sec. 21. This section enumerates the information 326
 required to be listed on a street-trades badge and other 327
 documentation required for the issue of such badges. The 328
 badge shall: (1) bear a number; (2) be signed on the reverse 328
 side by the minor in the presence of the person issuing the 329
 badge; and (3) contain the minor's address, birth date, and 329
 other information deemed necessary. A complete record of 331
 all badges issued or refused, reasons for refusal, shall be 331
 kept by the department of school attendance and work 332
 permits. Along with this record, it is required that the 333
 following data be filed: (1) name and address of parent; (2) 334
 height and weight of the minor; (3) birth date of the minor; 334
 (4) issue date of badge; (5) nature of evidence of age; and 335
 (6) school grade and name of the school attended by the 335
 minor. The minor is prohibited from giving, lending, 336
 selling or transferring the badge to another person. 336

The minor cannot engage in the trades specified in section 338
 15 (formerly Sec. 17.; renumbered by Bill 1-48) without 338
 carrying a badge and must exhibit the badge to any police, 340
 attendance officer, or other person charged with enforcing 341
 the Act. Lists of badges issued or refused are to be sent 342
 weekly to each school. The principal of each school shall 343
 keep a complete list of the names of minors at that school 343
 issued badges and if in the opinion of the principal the 344
 work or trade engaged in by the minor is considered 345
 detrimental to the school standing or well-being of the 345
 minor, the principal shall recommend to the person issuing 346
 the badge that it be revoked. Badges expire January 1st of 347
 each year and the badges are to be color-coded for each 347
 calendar year. 347

Bill 1-48 amends this section by: (1) requiring the name of 349
 the minor to be printed on the reverse side of the badge; 350
 (2) eliminating the need to list the height and weight of 350
 the minor in the file maintained by the schools; (3) 351
 specifying that the Board of Education keep the record of 351
 badges issued and all related information; (4) eliminating 352
 the need to send lists of badges to local schools; (5) 352
 eliminating the role of the principal in determining if the 353
 badges should be revoked; and (6) eliminating the need for 353
 the badges to expire each year and for their color to be 354
 changed yearly. 354

The committee amended Bill 1-48 by: (1) specifying that the words "this section" should read "section 15" (Sec. 17. is renumbered by Bill 1-48 to be Sec. 15.); (2) deleting the phrase "having conspicuously on his person" and substituting the word "wearing"; and (3) deleting the word "he" and substituting the words "such minor".

Sec. 22. This section provides that any minor who violates any provisions of the Act, such as engaged in the trades specified or concerning hours, school attendance, or wearing of the badges, shall be warned on a first offense and the parent notified of the violation. For any subsequent violations, the minor may be, in the discretion of the court, deemed lacking proper parental guardianship and committed to the care of the Board of Public Welfare until the minor reaches 21 years of age. The court is allowed discretion in suspending imposition or execution of the commitment by agreement and consent of the parent; the court may assign a probation officer to exercise supervision. Such supervision may continue until the minor reaches 17 years of age or is committed to the Board of Public Welfare. The badge may be revoked on recommendation by the school principal or complaint of a school attendance officer or any officer authorized to enforce the Act. Upon revocation, the parents are to be notified, and the parent is charged with responsibility to surrender or require the minor to surrender the street-trades badge under penalty of violation of the Act. After revocation of the street-trades badge, the minor is considered in the same status as a minor without a badge.

Bill 1-48 amends this section by: (1) specifying that the Board of Education shall be responsible for notifying the minor and parent following violation of the Act; (2) changing the warning provision on first offense to a cease and desist order to the minor from engaging in the trade or occupation; and (3) dropping the entire portion dealing with subsequent violations as listed above (e.g. court jurisdiction, commitment to the Board of Public Welfare until 21 years old, assignment of probation officer and supervision) and substituting authority to the Board of Education to directly revoke the street-trades badges or work permits.

The committee amended Bill 1-48 by changing the words "he" or "his" as they appear.

Sec. 23. This section specifies that any person providing a minor with items used in street-trades must ascertain that the minor wears the issued badge while engaged in the street-trade; no items are to be furnished to a minor without a proper badge. Failure to either ascertain possession of a proper badge or the wearing of the badge by the minor is punishable on a first offense by a fine of not less than \$25 nor more than \$100 imprisonment for 10 to 30 days, or both; for subsequent violations the penalty is a fine of \$50 to \$200, imprisonment for 30 to 90 days, or both. Parents who permit or consent to a violation by a minor are liable on a first offense for a fine of \$5 to \$100, imprisonment for 5 to 30 days, or both; for subsequent offenses parents are liable for a fine of \$10 to \$100, imprisonment for 10 to 60 days, or both.

Bill 1-48 amends this section by raising the fine for subsequent offenses by the supplier of goods to the minor from a maximum of \$200 to \$300. Similarly the maximum fine for a parent permitting subsequent offenses is raised from a \$100 maximum to \$200.

The committee amended Bill 1-48 by changing the words "he", "his", "him" or "himself" wherever they appear. Additionally, the committee added language, similar to that added in Section 17, regarding distribution or circulation of political literature or petitions if the minor receives no pecuniary compensation.

Sec. 24. This section provides penalties against newspaper publishers or sellers of newspapers who permit minors under 16 years of age to loiter or remain around newspaper salesrooms, and assembly or circulation rooms during school hours. Upon conviction, a fine of not less than \$25 nor more than \$100, or imprisonment of 10 to 30 days is specified.

Bill 1-48 amends this section by dropping references to newspaper operations and extending the prohibition to include an owner or employee of any business establishment. It further attempts to clarify loitering by defining it as loitering or unlawfully remaining around the premises of such establishment. The maximum fine is raised from \$100 to \$300.

The committee amended this section by replacing the word "around" (unlawfully remain around the premises of such establishment) by the word "on".

Sec. 25. This section authorizes and empowers the Board of Education to appoint at least two inspectors and other assistants necessary to carry out the provisions of the Act. It specifies that such appointments should be made from Candidates taking competitive examinations.

Bill 1-48 repeals this entire section. The authority of the Board of Education to appoint inspectors and other staff is included in amendments made to Sec. 27.

Sec. 26. This section as originally included in the Act of 1928 specified that the Juvenile Court is given jurisdiction of all cases arising under this law. An amendment to the 1928 Act made in July 1970 changed the jurisdiction to the Family Division of the Superior Court.

Bill 1-48 amends this section by specifying that violations of either the provisions of the Act or any regulations made by the Board of Education under the authority of the Act are to be filed in the Superior Court in the name of the District of Columbia by the Corporation Counsel.

Sec. 27. This section repeals the May 28, 1908 Act entitled "An Act to regulate the employment of Child labor in the District of Columbia," and all other Acts or parts of Acts inconsistent with the Act of 1928.

Bill 1-48 makes no change in this section, except to renumber it.

Sec. 28. This section provides for separability of the provisions of the Act.

Bill 1-48 makes no change in this section, except to renumber it.

Sec. 29. This section specifies that the Board of Education shall exercise general supervision and appellate

jurisdiction over the agents and employees engaged in the 451
 execution of the Act. 451

Bill 1-48 amends this section by clarifying that the Board 453
 of Education has the authority to: (1) carry out and enforce 454
 the provisions of the Act; (2) promulgate any necessary 454
 regulations to effectuate the purposes of the Act; (3) 455
 delegate the performance of any of its functions and duties 456
 under the Act to any officer, agent or department of the 456
 Board; and (4) appoint as many inspectors or other employees 457
 as may be necessary to carry out the provisions of the Act. 457

Sec. 30. (New Section) Bill 1-48 amends the Act of 1923 459
 by adding a new section which provides that this act may be 460
 cited as the "District of Columbia Employment of Minors 460
 Act". 460

Bill 1-48 is amended by the committee by changing the number 462
 of Sec. 2. of the Bill to read Sec. 3 and by changing the 463
 phrasing of the effective date language to make it conform 463
 with the appropriate language for Council enacted 464
 legislation. 464

[Committee Reported]
Reported January 8, 1976
with amendments

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OFFICE OF THE SECRETARY
DISTRICT OF COLUMBIA COUNCIL

A BILL

No. 1-48

In the Council of the District of Columbia

March 18, 1975

Councilmember Tucker introduced the following bill which was referred to the Committee on Education, Recreation and Youth Affairs.

To extensively revise the child labor laws in the District of Columbia, and for other purposes.

Strike that material in brackets; insert the material underlined.

Be it enacted by the Council of the District of Columbia, That this act may be cited as the "Child Labor Amendments [in the District of Columbia Act] of 1975".

Sec. 2. The Act entitled "An Act To regulate the employment of minors within the District of Columbia", approved May 29, 1928, is amended as follows:

(1) Section 1 of such Act (D.C. Code, sec. 36-201) is amended (A) by striking out "That no child" and inserting in lieu thereof "Except as provided in Section 6 and Section 7, no minor", (B) by striking out "child's" each

place it appears and inserting in lieu thereof in each such place "minor's", (C) by striking out "boys" and inserting in lieu thereof "minors", and (D) by striking out "17 to 24" and inserting in lieu thereof "15 to 21".

(2) Section 2 of such Act (D.C. Code, sec. 36-202) is amended (A) by striking out in the first sentence (i) "No" and inserting in lieu thereof "Except as provided in section 6, no", (ii) "17" and inserting in lieu thereof "14", and [(ii)] (iii) "nor shall any girl under eighteen years of age or boy under sixteen years of age be so employed, permitted, or suffered to work before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening of any day, nor shall any boy between sixteen and eighteen years of age be so employed before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day" and inserting in lieu thereof "nor shall any minor sixteen or seventeen years of age be employed, permitted, or suffered to work before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day, nor shall any minor under sixteen years of age be employed, permitted, or suffered to work before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening of any day, except during the summer (June 1 through Labor Day) when the

evening hour shall be nine o'clock", and (B) by striking out in the second sentence "and the hours when the time allowed for meals begins and ends for said minors".

(3) The proviso of section 3 of such Act (D.C. Code, sec. 36-203) is amended (A) by striking out "to 7" and inserting in lieu thereof "through 6", and (B) by inserting immediately before the period at the end thereof a colon and the following: "Provided further, That no hearing shall be necessary for the issuance of an order prohibiting employment in any occupation found by the Secretary of Labor under the authority of the Fair Labor Standards Act to be particularly hazardous for minors under eighteen years of age or detrimental to their health and well-being".

(4) Section 4 of such Act (D.C. Code, sec. 36-204) is amended by adding the following sentence: "This section does not apply to any duly approved vocational education program or training under the auspices of the Board of Education or the Trustees of the University."

[(4)] (5) Section 5 of such Act (D.C. Code, sec. 36-205) is amended by striking out clause (1) and all that follows, and inserting in lieu thereof "at operating any freight or non-automatic elevator, or in any quarry, tunnel, or excavation."

[(5)] (6) Section 6 of such Act (D.C. Code, sec. 36-206) is repealed.

[(6)] (7) Section 7 of such Act (D.C. Code, sec. 36-207) is repealed.

[(7)] (8) Section 7a of such Act (D.C. Code, sec. 36-207a) is renumbered section 6 and amended to read as follows:

"Sec. 6. The Board of Education is authorized to issue a theatrical permit to any minor under eighteen years of age authorizing and permitting said minor to appear on the stage of a licensed legitimate or vaudeville theatre within the District of Columbia in any professional theatrical production or act, or in a musical or dance recital or concert, or to participate in a professional sports activity, circus, radio or television program, motion picture, or to appear as a fashion model: Provided: That such minor is at least seven years of age: Provided further, That such minor shall not appear in more than two performances in any one day, nor

more than eight performances in any one week, and shall not appear in any performance after the hour of eleven-thirty in the evening. Application for a theatrical permit shall be made by the parent or guardian or agent of such minor to the Board of Education. The Board may issue such a permit if satisfied that the parent or guardian or agent of the minor has made adequate provision for [his] the educational instruction of such minor and, for safeguarding [his] the minor's health, and for [his] the proper supervision of the minor." The Board is authorized to promulgate such rules and regulations as may be necessary to protect properly the health, morals, and safety of minors coming within the purview of this Act."

add the
quotation

delete.

[(8)](9) Section 8 of such Act (D.C. Code, sec. 36-208) is renumbered section 7 and amended by striking out (i) "children" and inserting in lieu thereof "minors", (ii) the word "his" and inserting in lieu thereof

"the", and (iii) "between fourteen and" and inserting in lieu thereof "under".

[(9)](10) Section 9 of such Act (D.C. Code, sec. 36-209) is renumbered section 8 and amended (A) by striking out in the first sentence (i) "The work or vacation permit required by this Act shall be issued only by the director of the department of school attendance and work permits created under the board of education according to the provisions of the Act of Congress, approved February 4, 1925, entitled 'An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes,' or by any person duly authorized by said director," and inserting in lieu thereof "The work or vacation permit required by this Act shall be issued by the Board of Education", and (ii) "color," (B) by striking out in the fourth sentence "and shall be mailed to the employer by the issuing officer, and in no case given to the minor." and inserting in lieu thereof "and shall be mailed or delivered to the employer." (C) by amending the fifth sentence to read as follows:

"The Board shall maintain an office record for each applicant containing the minor's name, sex, date and place of birth, evidence of age, residence, name

and address of the employer, and nature of the specific occupation in which the minor is employed, the grade and school last attended by the minor, the employer's statement of intention to employ, and the parent's, guardian's, or custodian's written consent if such written consent is required." and,

(D) by striking out the last sentence.

[(10)] (11) Section 10 of such Act (D.C. Code, sec.

36-210) is renumbered section 9 and amended to read as

follows:

"Sec. 9. The Board of Education shall issue a work or vacation permit only upon application in person of the minor desiring employment, and upon submission to and approval by the Board of the following:

"(a) A statement signed by the prospective employer or by someone duly authorized [on his behalf], stating that [he] the employer expects to give such minor present employment, setting forth the specific nature of the occupation in

which [he intends to employ] such minor will be employed, and the number of hours per day and of days per week which said minor will be employed.

"(b) Evidence of age as provided in section 10 of this Act.

"(c) Written consent of the parent, guardian, or custodian, if the minor is under sixteen years of age, specifying permission for employment of such minor: Provided, That if such minor is withdrawing from school for purposes of employment, the parent, guardian or custodian must appear in person before the issuing officer and sign the consent form.

"(d) A school record, if the minor is under sixteen years of age and is withdrawing from school for purposes of employment, signed by the principal of the public, private or parochial school last attended by the minor, or by a person duly authorized by said principal. The school record shall certify that the

minor has completed the eighth grade or the equivalent thereof in a public school, or has regularly received in a private or parochial school, instruction deemed equivalent by the Board of Education to that prescribed for the completion of the eighth grade in the public schools of the District of Columbia. The school record shall contain also the full name, date of birth, grade last completed, and residence of the minor as shown on the records of the school."

[(11)] (12) Section 11 of such Act (D.C. Code, sec. 36-211) is renumbered section 10 and amended (A) by striking out in paragraph (c) "director of the department of school attendance and work permits" and inserting in lieu thereof "Board of Education", and (ii) "child" or "child's" each place it appears and inserting in lieu thereof each place either "minor" or "minor's", (B) by striking out the colon and the provisos at the end of paragraph (c) and inserting in lieu thereof a period, (C) by striking out paragraph (d) and all that follows, and (D) redesignating paragraphs (b) and (c), as amended by this section, as paragraphs (c) and

(d), respectively, and adding after paragraph (a) the following new paragraph:

"(b) A record of age as given in the records of the school first attended by the minor, if obtainable, or in the earliest available school census."

[(12)](13) Section 12 of such Act (D.C. Code, sec. 36-212) is renumbered section 11 and amended by striking out in the first sentence (A) "The director of the department of school attendance and work permits, or any person duly authorized by him," and inserting in lieu thereof "The Board of Education," and, (B) "11" and inserting in lieu thereof "10".

[(13)](14) Section 13 of such Act (D.C. Code, sec. 36-213) is repealed.

[(14)](15) Section 14 of such Act (D.C. Code, sec. 36-214) is renumbered section 12, and amended by striking out "child" and inserting in lieu thereof "minor".

[(15)](16) Section 15 of such Act (D.C. Code, sec. 36-215) is renumbered section 13 and amended (A) by striking out "14" each place it appears and inserting in lieu thereof "12", (B) by striking out "department enforcing the child labor law" and inserting in lieu thereof "Board of Education", [and] (C) by striking out "\$200" and inserting

in lieu thereof "\$300", (D) by striking out "his" and inserting in lieu thereof "their", and (E) by striking out "him" and inserting in lieu thereof "the minor".

[(16)] (17) Section 16 of such Act (D.C. Code, sec. 36-216) is renumbered section 14 and amended (A) by striking out in the first sentence "director of the department of school attendance and work permits organized under the Board of Education of the District of Columbia and of the authorized inspectors and agents of said department" and inserting in lieu thereof "Board of Education", (B) by striking out in the second sentence "director of the said department" and inserting in lieu thereof "Board of Education", and (C) by striking out the third sentence.

[(17)] (18) Section 17 of such Act (D.C. Code, sec. 36-217) is renumbered section 15 and amended to read as follows:

"Sec. 15. No minor under sixteen years of age shall be employed in the stuffing of newspapers, nor shall the work of any minor sixteen or seventeen [so] employed stuffing newspapers exceed forty hours in any one week, nor shall such minor be employed on more than one night in any week. No minor under twelve years of age

shall distribute, sell, expose, or offer for sale any newspapers, magazines, periodicals, or any other articles or merchandise of any description, or distribute handbills or circulars, except political literature as specified below, in any street or public place, or exercise the trade of bootblack or any other trade, in any street or public place: Provided, That the provisions of this Act shall not apply to minors ten years of age and over engaged in the distribution of newspapers, magazines, or periodicals on fixed routes: Provided further, That no minor under sixteen years of age shall be employed or permitted or suffered to work at any of the trades or occupations mentioned in this section, in any street or public place, after the hour of seven [post-meridian] in the evening or before the hour of six [antemeridian] in the morning, or, unless holding a work permit issued in accordance with the provisions

of this Act, during the hours when such minor's school is in session.

Notwithstanding the language of this section, no prohibition is made against the distribution or circulation of political literature or petitions or other such materials for which the minor receives no pecuniary compensation."

[(18)] (19) Section 18 of such Act (D.C. Code, sec. 36-218) is repealed.

[(19)] (20) Section 19 of such Act (D.C. Code, sec. 36-219) is renumbered section 16 and amended (A) by striking out "boy" and inserting in lieu thereof "minor", (B) by striking out "17" and inserting in lieu thereof "15", [and] (C) by striking out "director of the department of school attendance and work permits, or some person duly authorized by him" and inserting in lieu thereof "Board of Education", (D) by striking out "he" the first place it appears and inserting in lieu thereof "such minor", (E) by striking out "carry on his person" and inserting in lieu thereof "wear", and (F) by striking out "he" the second place it appears and inserting in lieu thereof "the minor".

[(20)] (21) Section 20 of such Act (D.C. Code, sec. 36-220) is renumbered section 17 and amended to read as follows:

"Sec. 17. The Board of Education shall issue a street-trades badge only upon the application of the minor desiring it, with the written consent of the parent, guardian, or custodian of such minor, and upon proof that the minor is of the age required by Section 15 of this Act, which shall consist of the same evidence as is required for a work permit under this Act. A work permit issued as required by this Act may be accepted in lieu of any other requirements for said badge."

[(21)] (22) Section 21 of such Act (D.C. Code, sec. 36-221) is renumbered section 18 and amended (A) by inserting immediately after "minor's" in the first sentence thereof "name,", (B) by striking out in the second sentence (i) "the height and weight of the minor," and (ii) "in the office of the director of the department of school attendance and work permits" and inserting in lieu thereof "by the Board of Education", (C) by striking out in the third sentence (i) "this section" and inserting in lieu

thereof "section 15", (ii) "having conspicuously on his person" and inserting in lieu thereof "wearing", and (iii) "he" and inserting in lieu thereof "such minor", and [(C)](D) by striking out the fourth sentence and all that follows.

[(22)](23) Section 22 of such Act (D.C. Code, sec. 36-222) is renumbered section 19 and amended to read as follows:

"Sec. 19. The Board of Education shall order any minor found to be engaged in any of the trades or occupations mentioned in section 15, in violation of any of the provisions of sections 15 through 21 of this Act, to cease and desist from engaging in such trade or occupation, and the parent, guardian, or custodian of such minor shall be notified by the Board of its order. The Board of Education may also revoke the badge or work permit of any minor who violates any provision of this Act, or who fails to comply with all legal requirements concerning school attendance for such period as the Board may require. Upon

revocation the Board shall so notify the parent, guardian, or custodian of such minor, and it shall thereupon become the duty of said parent, guardian, or custodian to surrender or require said minor to surrender said badge or work permit to the Board. After notice to the minor and [his] the parent, guardian, or custodian of the revocation of such badge or work permit, [he] said minor shall be deemed to be in the same status as a minor without a badge. The refusal of any such minor to surrender [his] the badge upon such revocation shall be deemed a violation of this Act."

[(23)] (24) Section 23 of such Act (D.C. Code, sec. 36-223) is renumbered section 20 and amended (A) by striking out (i) "for himself" and inserting in lieu thereof "personally", (ii) "his own badge" and inserting in lieu thereof "the badge issued by the Board of Education", and (iii) "him" and inserting in lieu thereof "the minor", (B) by striking out "he" and inserting in lieu thereof "the minor", (C) by striking out "\$200" and inserting in lieu thereof "\$300", (D) by striking out "his", [(B)] (E) by

striking out "17 to 23" and inserting in lieu thereof "15 to 20", [and (C)](F) by striking out "\$100" the second time it appears in the last sentence of such section and inserting in lieu thereof "\$200"[.], and (G) by adding the following sentence "Notwithstanding the language of this section, no prohibition is made against the distribution or circulation of political literature or petitions or other such materials for which the minor receives no pecuniary compensation."

[(24)](25) Section 24 of such Act (D.C. Code, sec. 36-224) is renumbered section 21 and amended to read as follows:

"Sec. 21. No minor under the age of sixteen years required by law to attend school shall be permitted by an owner or employee of any business establishment to loiter or unlawfully remain [around] on the premises of such establishment between the hours of the opening of school in the morning and the close of school in the afternoon on days when school is in session. Any owner or employee of any business establishment convicted of violating this section may be punished by a fine of not less than

\$25 nor more than \$300 or by imprisonment for not less than ten days or more than thirty days."

[(25)] (26) Section 25 of such Act (D.C. Code, sec. 36-225) is repealed.

[(26)] (27) Section 26 of such Act (D.C. Code, sec. 36-228) is renumbered section 22 and amended to read as follows:

"Sec. 22. Prosecutions for violations of any of the provisions of this Act, or of any regulation made by the Board of Education under authority of this Act, shall be on information filed in the Superior Court of the District of Columbia in the name of the District of Columbia by the Corporation Counsel or any [of his] assistants."

[(27)] (28) Section 27 of such Act and section 28 of such Act (D.C. Code, sec. 36-226) are renumbered sections 23 and 24, respectively.

[(28)] (29) Section 29 of such Act (D.C. Code, sec. 36-227) is renumbered section 25 and amended to read as follows:

"Sec. 25. The Board of Education of the District of Columbia is hereby empowered to carry out and enforce the provisions of this Act, and is authorized to promulgate such regulations as may be necessary to effectuate the purposes of this Act. The Board of Education is further authorized to delegate the performance of any of its functions and duties under this Act to any officer, agent, or department of the Board, and to appoint such number of child labor inspectors or other employees as may be necessary to carry out the provisions of this Act."

[(29)] (30) Such Act is amended by adding the following new section:

"Sec. 26. This Act may be cited as the 'District of Columbia Employment of Minors Act'."

[Sec. 2.] Sec. 3. The amendments made by this [Act] act shall take effect on the first day of the first month which begins thirty days after the date [of its enactment.] this act becomes law according to section 602(c) of the District

of Columbia Self-Government and Governmental Reorganization
Act.

DRAFT

D.C. Child Labor Law including proposed amendments to
existing law as proposed by Bill 1-48 and the Education,
Recreation, and Youth Affairs Committee report.

Material to be deleted by proposed amendments in
existing law is shown in brackets []; material to be
included is shown underlined.

The following displays how the D.C. Code, Section 36,
articles 201 to 228, will be revised if Bill 1-48 is
adopted.

Sec. 36-201

[No Child] Except as provided in section 36-206 and section
36-207, no minor under fourteen years of age shall be
employed, permitted, or suffered to work in the District of
Columbia, in, about, or in connection with any gainful
occupation, with the exemption of house-work performed
outside of school hours in the home of the [child's] minor's
parent or legal guardian or agricultural work performed
outside of school hours in connection with the [child's]
minor's own home and directly for the [child's] minor's
parent or legal guardian: Provided, That [boys] minors ten
years of age and over may be employed outside of school
hours in the distribution or sale of newspapers, subject to
the provisions of sections 36-215 to 36-221.

Sec. 36-202

Except as provided in section 36-206, [No] no minor under | 30
eighteen years of age shall be employed, permitted, or | 31
suffered to work in, about, or in connection with any | 31
gainful occupation, except in agricultural work, or | 32
housework, or in the distribution or sale of newspapers, as | 32
prescribed in section 36-201, and except in newspaper | 33
stuffing, subject to the provisions of section 36-214, more | 33
than six consecutive days in any one week, or more than | 34
forty-eight hours in any one week, or more than eight hours | 34
in any one day, nor shall any [girl under eighteen years of | 35
age or boy under] minor sixteen or seventeen years of age be | 35
[so] employed, permitted, or suffered to work before the | 36
hour of [seven] six o'clock in the morning or after the hour | 36
of [seven] ten o'clock in the evening of any day, nor shall | 38
any [boy between] minor under sixteen [and eighteen] years | 38
of age be [so] employed, permitted, or suffered to work | 39
before the hour of [six] seven o'clock in the morning or | 39
after the hour of [ten] seven o'clock in the evening of any | 40
day [.] , except during the summer (June 1 through Labor | 40
Day) when the evening hour shall be nine o'clock. Every | 41
employer shall post and keep conspicuously posted in the | 41
establishment, in or about which any minor is employed, | 42
permitted, or suffered to work, a printed notice, furnished | 42
by the official authorized to enforce this chapter, setting | 43

forth the legal regulations governing the employment and | 43
hours of work of minors and occupations prohibited to minors | 44
in such establishments, and, in addition, shall keep | 44
accessible in places of employment a list of minors under | 45
eighteen employed, permitted, or suffered to work, and an | 45
accurate time record showing the hours of beginning and | 46
ending work each day [and the hours when the time allowed | 46
for meals begins and ends for said minors]. The presence of | 47
any such minor in the place of work for a longer time in the | 47
day or week than stated in the printed regulation hours | 48
shall be prima facie evidence of a violation of the | 48
provisions of this section. | 48

Sec. 36-203 | 50
No minor shall be employed, permitted, or suffered to work | 52
in any place of employment, or at any employment, dangerous | 52
or prejudicial to the life, health, safety, or welfare of | 53
such minor. It shall be the duty of the Board of Education | 54
of the District of Columbia and the said board shall have | 54
power, jurisdiction, and authority, ~~after~~ hearing duly held, | 55
to issue general or special orders prohibiting the | 55
employment of such minors in any employment or at any place | 56
of employment dangerous or prejudicial to the life, health, | 56
safety, or welfare, of such minors: Provided, That no such | 57

order shall permit the employment of any minor at any | 57
employment specified in sections 36-204 to 36-206 at a lower | 58
age than the age therein specified: Provided further, That | 58
no hearing shall be necessary for the issuance of an order | 59
prohibiting employment in any occupation found by the | 59
Secretary of Labor under the authority of the Fair Labor | 59
Standards Act to be particularly hazardous for minors under | 60
eighteen years of age or detrimental to their health and | 60
well being. | 60

Sec. 36-204 | 62

No minor under sixteen years of age shall be employed, | 64
permitted, or suffered to work at any of the following | 64
occupations: (1) In the operation of any machinery operated | 65
by power other than hand or foot power; or (2) in oiling, | 65
wiping, or cleaning machinery or assisting therein. This | 67
section does not apply to any duly approved vocational | 67
education program or training under the auspices of the | 67
Board of Education or the Trustees of the University. | 68

Sec. 36-205 | 70

No minor under eighteen years of age shall be employed, | 72
permitted, or suffered to work [(1)] at operating any | 72
freight or [passenger] non-automatic elevator, or [(2)] in | 73

any quarry, tunnel, or excavation. [, or (3) in any tobacco | 73
warehouse or cigar or other factory or place where tobacco | 74
is manufactured or prepared. No girl under the age of | 75
eighteen years shall be employed, permitted, or suffered to | 75
work in any retail cigar or tobacco store, or in any hotel | 76
or for any apartment house, or as an usher, attendant, or | 76
ticket seller in ay theater or place of amusement, or as a | 77
messenger in the distribution or delivery of goods or | 77
messages for any person, firm, or corporation engaged in the | 77
business of transmitting or delivering of messages.] | 78

Sec. 36-206 Repeal entire section as it appears | 80
[No male between the ages of eighteen and twenty-one shall | 82
be employed, permitted, or suffered to work as a messenger | 82
for any person, firm, or corporation engaged in the business | 83
of transmitting or delivering messages before five o'clock | 83
in the morning or after twelve o'clock midnight of any day | 84
nor shall any female between the ages of eighteen and | 84
twenty-one be so employed before the hour of six o'clock in | 85
the morning, or after the hour of seven o'clock in the | 85
evening of any day.] | 85

Sec. 36-207 Repeal entire section as it appears | 90
[No person having in his custody or control a minor under | 92
the age of sixteen years shall employ, exhibit, apprentice, | 92
sell, give away, or in any way dispose of such minor with a | 93
view to such minor being employed as an acrobat, or a | 93
gymnast, or a contortionist, or ropewalker, or in any | 94
exhibition of like character, or as a begger, or street | 94
singer, or street musician, or cause or procure such minor | 95
to be so engaged.] | 95

Sec. 36-207(a) Renumber to be new Sec. 36-206 | 97
The Board of Education [of the District of Columbia, or a | 98
duly authorized agent thereof,] is authorized to issue a | 99
[work] theatrical permit to any minor under eighteen years | 100
of age [, said permit] authorizing and permitting [the | 100
appearance of such] said minor to appear on the stage of a | 101
[duly] licensed legitimate or vaudeville theater within the | 101
District of Columbia [,] in any professional [travelling] | 102
theatrical production [,] or act, or in a musical or dance | 102
recital or concert, or to participate in a professional | 103
sports activity, circus, radio or televison program, motion | 103
picture, or to appear as a fashion model: Provided, That | 105
such minor is at least seven years of age: Provided further, | 106
That such minor shall not appear [on said stage] in more | 106

than two performances in any one day, nor more than eight | 107
performances in any one week, and shall not appear [on said | 107
stage] in any performance after the hour of 11:30 | 107
[postmeridian] in the evening. Application for [such] a | 109
theatrical permit [should] shall be made by the parent or | 109
guardian or agent of such minor to the Board of Education. | 110
[of the District of Columbia or a duly authorized agent | 111
thereof, at such time as the Board may require.] The Board | 112
[or its agent] may issue such a permit if satisfied that the | 112
parent or guardian or agent of [such] the minor has made | 113
adequate provision for the educational instruction of such | 113
minor and for safeguarding [his] the minor's health, and for | 114
the proper supervision of [such] the minor. | 114

[The Board is authorized to promulgate such rules and | 116
regulations as may be necessary to protect properly the | 116
health, morals, and safety of minors coming within the | 117
purview of this chapter.] | 117

Sec. 36-208 Renumber to be new Sec. 36-207 | 119
No minor between fourteen and eighteen years of age shall be | 121
employed, permitted, or suffered to work in, about or in | 121
connection with any gainful occupation, except in | 122
agricultural work or housework as specified in section 36- | 122
201, unless [his] the employer procures and keeps on file | 123

and accessible to any attendance officer, inspector, or
other person authorized to enforce this chapter a work or
vacation permit issued as herein after prescribed, except
that [children] minors [between fourteen and] under eighteen
years of age may be employed without a permit outside of
school hours in irregular or casual work usual to the home
of the employer: Provided, That such employment shall not be
in connection with nor form a part of the business, trade,
profession, or occupation of the employer: And provided
further, That such employment shall not be specifically
prohibited by any provision of this chapter or by any order
issued under the authority of section 36-203.

Sec. 36-209 Renumber to be new Sec. 36-208

The work or vacation permit required by this chapter shall
be issued [only by the director of the department of school
attendance and work permits created under the board of
education according to the provisions of sections 36-210 to
36-213, or by any person duly authorized by said director,]
by the Board of Education and shall state the name, sex,
[color,] date, and place of birth, and place of residence of
the minor, the grade last completed by said minor, and the
kind of evidence of age accepted, and such other details as
may be necessary for the identification of the minor. It

| 139
shall certify that all the requirements for issuing a work | 139
or vacation permit under the provisions of this chapter have | 139
been fulfilled and shall be signed by the person issuing it. | 140
It shall state the name and address of the employer for whom | 141
and the nature of the specific occupation in which the work | 141
permit authorizes the minor to be employed, and no permit | 142
shall be valid except for the employer so named and for the | 142
occupation so designated. It shall bear a number, shall | 144
show the date of its issue, and shall be signed by the minor | 144
for whom it is issued in the presence of the person issuing | 145
it, and shall be mailed or delivered to the employer. [by | 146
the issuing officer, and in no case given to the minor. A | 147
record giving in full for each applicant the facts with | 147
reference to his] The Board shall maintain an office record | 147
for each applicant containing the minor's name, sex, | 148
[color,] date [,] and place of birth, [name and address of | 148
parent, guardian, or custodian,] evidence of age, residence, | 149
name and address of the employer, and nature of the specific | 149
occupation in which the minor is [to be] employed, the grade | 150
and school last attended by the minor, [evidence of age, and | 150
date of issuance or date of refusal of certificate, with | 151
reason, shall be kept in the department of school attendance | 151
and work permits, together with the physician's certificate | 152

of physical fitness, the school record, and] the employer's | 152
statement of intention to employ, [the child. Lists shall | 154
be sent weekly to each school during the school term giving | 154
the names and addresses of all children from that school to | 155
whom permits have been issued or refused.] and the parent's, | 156
guardian's or custodian's written consent if such written | 156
consent is required. | 156

Sec. 36-210 Renumber to be new Sec. 36-209 | 158

[The officer authorized in section 36-209 to issue work or | 160
vacation permits] The Board of Education shall issue [such | 160
permits] a work or vacation permit, only upon the | 161
application in person of the minor desiring employment, | 161
[accompanied, if said minor is under sixteen years of age, | 162
by his parent, guardian, or custodian, and after having | 162
received, examined, and approved and filed the following | 163
papers, namely:] and upon submission to and approval by the | 163
Board of the following: (a) A statement signed by the | 164
prospective employer or by some one duly authorized [on his | 164
behalf], stating that [he] the employer expects to give such | 165
minor present employment, setting forth the specific nature | 165
of the occupation in which [he] intends to employ such minor | 166
will be employed, and the number of hours per day and of | 166
days per week which said minor [shall] will be employed . | 167

[and agreeing to send the notice of the commencement of | 168
employment, and to return the permit according to the | 168
provisions of this chapter.] | 169

(b) Evidence of age as provided in section 36-210 [, showing | 171
that the minor is at least fourteen years of age.] of this | 172
chapter. | 172

[(c) A certificate of physical fitness, if such minor is | 174
under sixteen years of age; otherwise no such certificate of | 174
physical fitness shall be required. Such certificate of | 176
physical fitness shall be signed by a medical inspector of | 176
the public schools of the District of Columbia, assigned by | 177
the Board of Health for such purpose. It shall show the | 178
height and weight of the minor and shall state that the said | 178
minor has been thoroughly examined by the said physician at | 179
the time of his application for a permit, has attained the | 179
normal development of a minor of his age and is in sound | 180
health, and is physically qualified for the employment | 180
specified in the statement submitted in accordance with the | 180
requirements of this chapter.] (c) Written consent of the | 182
parent, guardian, or custodian, if the minor is under | 182
sixteen years of age, specifying permission for employment | 183
of such minor: Provided, That if such minor is withdrawing | 183

from school for purposes of employment, the parent, guardian | 184
or custodian must appear in person before the issuing | 184
officer and sign a consent form. | 184

(d) A school record, if [such] the minor is under sixteen | 186
years of age [; otherwise no such record shall be required. | 186
Such school record shall be filled out and signed by the | 187
teacher of the class last attended by the minor and | 187
countersigned] and is withdrawing from school for purposes | 188
of employment, signed by the principal of the [school,] | 188
public, private, or parochial school [, which the minor has] | 189
last attended [or by some one duly authorized by him: | 189
Provided, That the signature of the teacher shall not be | 189
required in the case of a school record filled out during | 190
the summer vacation period of the public schools. It] by | 192
the minor, or by a person duly authorized by said principal. | 192
The school record shall certify that the [said] minor [is | 193
able to read and write correctly sentences in the English | 193
language, has satisfactorily] has completed the eight grade | 194
[of the elementary school course prescribed for the public | 194
schools in the District of Columbia,] or the equivalent | 195
thereof in a public school, or has regularly received in a | 195
private or parochial school , instruction deemed equivalent | 196
by the Board of Education to that prescribed for the | 196
completion of the eighth grade in the public schools [.] of | 197

the District of Columbia. [Such] The school record shall | 198
[give] contain also the full name, date of birth, grade last | 198
completed, and residence of the minor as shown on the | 199
records of the school. | 199

Sec. 36-211 Renumber to be new Sec. 36-210 | 201
The evidence of age required by this chapter shall consist | 203
of one of the following proofs of age, which shall be | 203
required in the order herein designated: | 204

(a) A birth certificate or attested transcript issued by | 206
a registrar of vital statistics or other officer charged with | 206
the duty of recording births. | 208

(b) A record of age as given | 208
in the records of the school first attended by the minor, if | 208
obtainable, or in the earliest available school census. | 209

[(b)] (c) A baptismal record or duly certified transcript | 211
thereof showing the date of birth and place of baptism of | 211
the minor. | 212

[(c)] (d) A bona fide contemporary record of the date and | 214
place of the [child's] minor's birth kept in the Bible in | 214
which the records of the births in the family of the [child] | 215
minor are preserved, or other documentary evidence | 215
satisfactory to the [director of the department of school | 216

attendance and work permits,] Board of Education, such as a | 216
 passport showing the age of the [child] minor, a certificate | 217
 of arrival in the United States issued by the United States | 217
 immigration officers and showing the age of the [child] | 218
minor, or a life insurance policy . [:Provided, That such | 219
 other satisfactory documentary evidence has been in | 219
 existence at least one year prior to the time it is offered | 220
 in evidence: An provided further, That a school record or a | 221
 parent's, guardian's, or custodian's affidavit, certificate, | 221
 or other written statement of age shall not be accepted | 222
 except as specified in paragraph (d).] | 222
 [(d) A certificate of physical age, signed by a medical | 224
 inspector of the public schools assigned by the Board of | 224
 Health for such purposes and based upon a physical | 225
 examination, which shall state the height and weight of such | 225
 minor and other evidence upon which the opinion as to the | 226
 age of such minor is founded. A parent's, guardian's, or | 227
 custodian's affidavit of age, and a record of the age as | 227
 given in the register of the school first attended by the | 228
 minor, if obtainable, or in the earliest available school | 228
 census, shall accompany the physician's certificate of age. | 229
And no work or vacation permit shall be issued if any of the | 230
 above possible sources shows the minor to be under the age | 230
 of fourteen. | 231

The proof of age specified in subdivision (a) shall be | 233
accepted in preference to that specified in any subsequent | 233
subdivision , and no proof of age permitted by any subsequent
subdivision shall be accepted unless there be received and | 234
filed substantial evidence that the proof required by the | 234
preceding subdivisions can not be obtained. Should such | 236
preferred proof of age be later procured, or if subsequent | 236
proof of age shall be procured and shall conclusively | 236
establish the falsity of the proof previously accepted, the | 237
director of the department of school attendance and work | 237
permits shall cancel the permit and issue or refuse a new | 238
one according to the age thus established.] | 238

Sec. 36-212 Renumber to be new Sec. 36-211 | 240
[The director of the department of school attendance and | 242
work permits, or any person duly authorized by him] The | 242
Board of Education, shall have authority to issue a vacation | 243
permit to a minor between the age of fourteen and sixteen | 243
years, permitting employment during the regular summer | 244
vacation period of the public schools, or during the school | 244
term at such time as the public schools are not in session, | 245
if the age of such minor has been proved according to | 245
section 36-210, and such minor has in all other respects, | 246
except as to completion of the eighth grade, fulfilled the | 246

requirements for a work permit specified in this chapter. | 247
These permits shall be different in color from the work | 248
permit allowing employment while school is in session and | 248
shall state the periods during which its use is valid. | 249

Sec. 36-213 Repeal entire section as shown | 251

[Every employer receiving a work or vacation permit shall | 253
notify the department in writing within three days of the | 253
time of the commencement of the employment of such minor, | 254
and within three days after termination of the employment | 254
shall return said permit to the department. Failure to so | 256
notify shall be cause for the cancellation of the permit; | 256
and failure to so return it shall be cause for the refusal | 257
of further permits upon the application of such employer. | 257
Returned permits shall be filed and the school | 258
authorities notified. A new certificate shall not be issued | 259
to any minor except upon presentation of a new promise of | 259
employment and a new certificate of physical fitness.] | 260

Sec. 36-214 Renumber to be new Sec. 36-212 | 262

Whenever any person authorized to enforce this chapter shall | 264
have reason to doubt that any minor employed in any | 264
occupation for which a permit is required by this chapter, | 265
and for whom a work permit or vacation permit is not on | 265

file, has reached the age of eighteen years, such person may | 266
make demand on such minor's employer that such employer | 266
shall either furnish him within ten days the evidence | 267
required for a work permit showing that the minor is in fact | 267
eighteen years of age, or shall refuse to employ or permit | 268
or suffer such [child] minor to work. In case such evidence | 269
is not furnished to such person within ten days after such | 269
demand, the employer shall not thereafter continue to employ | 270
such minor or permit or suffer such minor to work in such | 270
establishment. Proof of the making of such demand and | 271
failure to deliver such proof of age shall be prima facie | 271
evidence, in any prosecution brought for violation of this | 272
chapter, that such minor is under eighteen years of age and | 272
is unlawfully employed. | 272

Sec. 36-215 Renumber to be new Sec. 36-213 | 274
Whoever employs or permits or suffers any minor to be | 276
employed or to work in violation of any of the provisions of | 276
sections 36-201 to 36-212, or of any order issued under the | 277
provisions of section 36-203, or interferes with, obstructs, | 277
or hinders the [department enforcing the child labor law,] | 278
Board of Education, its officers or agents, or any other | 278
person authorized to inspect places of employment under this | 279
chapter and whoever, having under [his] their control or | 279

custody any minor, permits or suffers [him] the minor to be | 280
employed or to work in violation of any of the provisions of | 280
sections 36-201 to 36-212, shall for a first offense be | 281
punished by a fine of not less than \$25 nor more than \$100, | 281
or by imprisonment not less than ten days nor more than | 282
thirty days, or in the discretion of the court by both such | 282
fine and imprisonment, and for any subsequent offense shall | 282
be punished by a fine of not less than \$50 nor more than | 283
[\$200] \$300, or by imprisonment not less than thirty days | 283
nor more than ninety days, or in the discretion of the court | 284
by both such fine and imprisonment. Every day during which | 285
any violation of this chapter continues shall consitute a | 2
separate and distinct offense. | 285

Sec. 36-216 Renumber to be new Sec. 36-214 | 287
It shall be the duty of the [director of the department of | 289
school attendance and work permits organized under the Board | 289
of Education of the District of Columbia and of the | 290
authorized inspectors and agents of said department] Board | 290
of Education to cause all the provisions of this chapter to | 291
be enforced, to make complaints against persons violating | 291
its provisions, and to prosecute violations of the same. | 292
The [director of the said department] Board of Education, | 293
its inspectors, and agents are empowered and instructed to | 293

visit and inspect at any time, and as often as shall be | 294
necessary in order effectively to enforce the provisions of | 294
this chapter, all places where minors are employed, and | 295
shall have authority to enter any place or establishment | 295
covered by the terms of this chapter, and to have access to | 296
work or vacation permits kept on file by the employer and | 296
such other records as may aid in the enforcement of this | 297
chapter. [All persons authorized to issue certificates of | 298
physical fitness and all attendance officers and probation | 298
officers are likewise empowered to visit and inspect at all | 299
reasonable hours all places where minors may be employed.] | 299

Sec. 36-217 Renumber to be new Sec. 36-215 | 301
No [boy] minor under sixteen years of age shall be employed | 303
in the stuffing of newspapers, nor shall the work of any | 303
[boy between the ages of minor sixteen [and eighteen] or | 304
seventeen [so] employed stuffing newspapers exceed forty | 304
hours in any one week, nor shall [he] such minor be employed | 305
on more than one night in any one week. No [boy] minor | 306
under twelve years of age [and no girl under eighteen years | 306
of age] shall distribute, sell, expose, or offer for sale | 307
any newspapers, magazines, periodicals, or any other | 307
articles or merchandise of any description, or distribute | 307
handbills or circulars, except political literature as | 308

specified below, in any street or public place, or exercise | 308
the trade of bootblack or any other trade, in any street or | 309
public place: Provided, That the provisions of this chapter | 310
shall not apply to [boys] minors ten years of age and over | 310
engaged in the distribution of newspapers, magazines, or | 311
periodicals on fixed routes[.]: Provided further, That no | 312
minor under sixteen years of age shall be employed or | 312
permitted or suffered to work at any of the trades or | 313
occupations mentioned in this section, in any street or | 313
public place, after the hour of seven in the evening or | 313
before the hour of six in the morning, or, unless holding a | 314
work permit issued in accordance with the provisions of this | 315
chapter, during the hours when such minor's school is in | 315
session. Notwithstanding the language of this section, no | 316
prohibition is made against the distribution or circulation | 316
of political literature or petitions or other such materials | 317
for which the minor receives no pecuniary compensation. | 317

Sec. 36-218 Repeal entire section as it appears. | 319

[No boy under sixteen years of age shall work or shall be | 321
employed or permitted or suffered to work at any of the | 321
trades or occupations mentioned in section 36-217, in any | 322
street or public place after the hour of seven postmeridian | 322
or before the hour of six meridian, or, unless holding | 323

a work permit issued in accordance with the provisions of | 323
this chapter, during the hours when the public schools are | 324
in session.] | 324

Sec. 36-219 Renumber to be new Sec. 36-216 | 326

No [boy] minor under sixteen years of age shall work at any | 328
time, or be employed or permitted or suffered to work at any | 328
time, in any of the trades or occupations mentioned in | 329
section 36-215, unless [he] such minor shall have procured | 329
and shall [carry on his person] wear in plain sight while so | 330
working a badge as hereinafter provided, issued by the | 330
[director of the department of school attendance and work | 331
permits, or some person duly authorized by him] Board of | 331
Education, and unless [he] the minor complies with all the | 332
legal requirements concerning school attendance. | 332

Sec. 36-220 Renumber to be new Sec. 36-217 | 334

The [officer authorized by this chapter to issue street- | 336
trades badges] Board of Education shall issue [such] a | 336
street-trades badge only upon the application of the minor | 337
desiring it, [accompanied by] with the written consent of | 337
the parent, guardian, or custodian of such minor, and [after | 338
having received, examined, approved, and filed the following | 338
papers: (1) Evidence] upon proof that the minor is of the | 339

age required by section 36-215 of this chapter, which shall | 339
consist of the same evidence as is required for a work | 340
permit under this chapter. ; (2) evidence of physical | 340
fitness, which shall consist of a certificate of physical | 341
fitness issued as required for a work permit under this | 341
chapter; (3) a statement signed by the principal of the | 342
school and the teacher of the class which the minor is | 342
attending, stating that such minor is regularly enrolled in | 343
school and showing the grade such minor has attained, and | 343
certifying that in their opinion the minor is physically and | 344
mentally qualified to undertake the work contemplated | 344
without retarding his progress in school: Provided, That a | 345
A work permit issued as required by this chapter may be | 345
accepted [by the issuing officer] in lieu of any other | 346
requirement for said badge. | 346

Sec. 36-221 Renumber to be new Sec. 36-218 | 348
Such badge shall bear a number, and every such badge on its | 350
reverse side shall be signed in the presence of the officer | 350
issuing the same by the minor in whose name it is issued and | 351
shall contain the minor's name, address and date of birth | 351
and such other information as the officer issuing the same | 352
shall deem necessary. A complete record of badges issued | 353
and refused, and of the facts relating thereto, including | 353

the name and address of the parent, guardian, or custodian, | 354
[the height, and weight of the minor,] the day, year, and | 354
month of birth of the minor, the date of issuance and kind | 355
of evidence of age accepted, and school grade and name of | 355
school attended, shall be kept [in the Office of the | 356
director of the department of school attendance and work | 356
permits] by the Board of Education. No minor to whom such | 357
badge is issued shall give, lend, sell, or otherwise | 357
transfer it to any other person, or be engaged in any of the | 358
trades or occupations mentioned in [this] section 36-215 | 358
without [having conspicuously on his person] wearing such | 359
badge, and [he] such minor shall exhibit the same upon | 359
demand to any police or attendance officer, or to any person | 360
charged with the duty of enforcing this chapter. [Lists | 361
shall be sent weekly to each school during the school term, | 361
giving the names and addresses of all minors to whom street | 362
trades badges have been issued and refused. The principal | 363
of each school shall keep a complete list of all minors in | 363
his school to whom badges, as herein required have been | 364
issued, and whenever in the opinion of said principal the | 364
possession of any such permit and badge is detrimental to | 364
the school standing or well-being of any such minor, shall | 365
recommend to the officer issuing the same that the badge of | 365
such minor be revoked. All such badges shall expire | 367

annually on the 1st day of January. The color of the badge | 368
shall be changed each calendar year.] | 368

Sec. 36-222 Renumber to be new Sec. 36-219 | 370

The Board of Education shall order any [Any] minor [who | 372

shall] found to be engaged in any of the trades or | 372

occupations mentioned in section 36-215, in violation of any | 373

of the provisions of sections 36-215 to 36-221 of this | 373

chapter, [, shall for the first offense be warned by the | 374

director of the department of school attendance and work | 374

permits] to cease and desist from engaging in such trade or | 375

occupation, and the parent, guardian, or custodian of such | 375

minor shall be notified [.] by the Board of Education of its | 376

order. [For any subsequent violation, while under the care | 377

of said parent, guardian, or custodian, and with his or her | 377

knowledge, or consent, said minor may, in the discretion of | 378

the court, be deemed to be lacking in proper parental care | 378

and guardianship, and may on petition filed for that | 379

purpose, and in the discretion of the court, be committed to | 379

the Board of Public Welfare of the District of Columbia | 380

until twenty-one years of age or for a shorter period as the | 380

court may see fit, the said Board of Public Welfare being | 381

hereby expressly authorized and required to receive minors | 381

so committed. The court may, instead of immediate | 382

commitment, suspend the imposition or execution of | 382
judgement of commitment, or may, after partial hearing and | 383
instead of proceeding to judgement, suspend further | 383
proceedings without judgement, with the consent of the | 384
parent, guardian, or custodian of said minor, and in either | 384
event may assign a probation officer of the Family Division | 384
of the Superior Court to exercise probationary supervision | 385
over said mainor, said probationary supervision to continue | 385
in force and the said minor to remain under the jurisdiction | 386
and control of the court as a ward of the court until said | 386
minor attains the age of seventeen years, or unless sooner | 387
discharged by order of the court or committed to said Board | 387
of Public Welfare, the court hereby being given power to | 388
withdraw said case from said probationary supervision at any | 388
time during said probation period, and after a hearing may | 389
commit said minor at once to the said board if, in the | 389
opinion of the court, the best interests and welfare of said | 390
minor shall so require. Upon the recommendation of the | 391
principal or chief executive officer of the school which | 391
said minor is attending or upon the complaint of any school | 392
attendance officer, or any officer authorized to enforce | 392
this chapter, the badge of any minor who violates any | 393
provision of this chapter, or who becomes delinquent, or who | 393
fails to comply with all the legal requirements concerning | 394

school attendance, may be revoked by the director of the | 394
department of school attendance and work permits for such | 395
period as the said officer may require; and upon revocation | 395
said officer] The Board of Education may also revoke the | 395
badge or work permit of any minor who violates any provision | 396
of this chapter, or who fails to comply with all legal | 396
requirements concerning school attendance for such period as | 397
the Board may require. Upon revocation the Board shall so | 398
notify the parent, guardian, or custodian [having] of such | 398
minor [in charge], and it shall thereupon become the duty of | 399
said parent, guardian, or custodian to surrender or require | 399
said minor to surrender said badge [to the said officer] or | 400
work permit to the Board. After notice to [such] the minor | 401
and [his] the parent, guardian, or custodian of revocation | 401
of such badge or work permit, [he] said minor shall be | 402
deemed to be in the same status as a minor without a badge. | 402
The refusal of any such minor to surrender [his] the badge | 403
upon such revocation shall be deemed a violation of this | 404
chapter. | 404

Sec. 36-223 . Renumber to be new Sec. 36-220 | 406
Any person who either [for himself] personally or as agent | 408
of any other person, or of any firm, corporation, or | 408
company, furnishes or sells or offers for sale to any minor | 409

under sixteen any article of any description to be used for | 409
the purpose of sale or distribution in any public place, | 410
shall first ascertain that said minor wears [his own] the | 410
badge issued by the Board of Education in plain sight as | 411
herein provided, and if said minor has no badge, no article | 411
shall be furnished or sold to [him] the minor. Any person | 413
who fails to comply with the foregoing provision, or who | 413
furnishes or sells or offers for sale to any minor any | 414
article of any description, with the knowledge that [he] the | 414
minor intends to sell or distribute such article in | 415
violation of any provision of this chapter, or after having | 415
received written notice from any officer charged with the | 416
enforcement of this chapter, that such minor is selling such | 416
article in violation of any provision of said chapter, or | 417
any person who procures any minor to violate any provision | 417
of this chapter, shall for a first offense be punished by a | 418
fine of not less than \$25 nor more than \$100, or by | 418
imprisonment for not less than ten or more than thirty days, | 419
or by both such fine and imprisonment, and for any | 419
subsequent offense shall be punished by a fine of not less | 420
than \$50 nor more than [\$200] \$300, or by imprisonment for | 420
not less than thirty nor more than ninety days, or by both | 421
such fine and imprisonment. Whoever, having under [his] | 422
control or custody any minor, permits or consents to the | 422

violation by such minor of any of the provisions of sections | 423
36-215 to 36-220, shall for a first offense be punished by a | 423
fine of not less than \$5 nor more than \$100, or by | 424
imprisonment of not less than five nor more than thirty | 424
days, or by both such fine and imprisonment, and for any | 425
subsequent offense shall be punished by a fine of not less | 425
than \$10 nor more than [~~\$100~~] \$200, or by imprisonment for | 426
not less than ten nor more than sixty days, or by both such | 426
fine and imprisonment. Notwithstanding the language of | 427
this section, no prohibition is made against the | 427
distribution or circulation of political literature or | 428
petitions or other such materials for which the minor | 428
receives no pecuniary compensation. | 428

Sec. 36-224 Renumber to be new Sec. 36-221 | 430
No [boy] minor under the age of sixteen years required by | 432
law to attend school shall be permitted by [any newspaper | 432
publisher or printer or person having for sale newspapers or | 433
periodicals of any character,] an owner or employee of any | 433
business establishment to loiter or unlawfully remain | 434
[around any salesroom, assembly room, circulation room, or | 434
office for the sale of newspapers,] on the premises of such | 435
establishment between the hours of the opening of school in | 435
the [~~forenoon~~] morning and the close of school in the | 436

afternoon, on the days when school is in session. Any | 437
[newspaper publisher, printer, circulation agent, or seller | 437
of newspapers shall, upon conviction of permitting newsboys | 438
to loiter or remain around any assembly room, circulation | 438
room, salesroom, or office where papers are distributed or | 439
sold during such hours,] owner or employee of any business | 439
establishment convicted of violating this section may be | 440
punished by a fine of not less than \$25 nor more than | 440
[\$100,] \$300 or by imprisonment for not less than ten days | 440
or more than thirty days. | 441

Sec. 36-225 Repeal entire section as shown | 443
[The Board of Education of the District of Columbia is | 445
hereby authorized, empowered, and directed to appoint such a | 445
number of inspectors, clerks, and other assistants as shall | 446
be necessary to carry out the provisions of this chapter: | 446
Provided, That at least two inspectors shall be so | 447
appointed. Such appointments shall be made from a list of | 448
applicants obtained from open competitive examinations | 448
conducted by the Boards of Examiners of the Board of | 449
Education designed to test the fitness of the applicant for | 449
the duties to be performed.] | 449

Sec. 36-228 Renumber to be Sec 36-222 | 451

[The Family Division of the Superior Court of the District of Columbia is hereby given jurisdiction in all cases arising under this chapter.] Prosecutions for violations of any of the provisions of this ^{chapter}, or of any regulation made by the Board of Education under authority of this chapter, shall be on information filed in the Superior Court of the District of Columbia in the name of the District of Columbia by the Corporation Counsel or any assistants.
(Note: this is section 26 of the 1928 Act)

Sec. 36-226 Renumber to be Sec. 36-223
If any provision of this chapter or the application of such provision to certain circumstances be held invalid, the remainder of this chapter and the application of such provision to circumstances other than those as to which it is held invalid shall not be affected thereby.
(Note: Bill 1-48 redesignates sec. 27 of the 1928 Act as sec. 23. This section which repeals the Act of 1908 does not appear in the D.C. Code. Sec. 28 which appears in the code as Sec. 36-226 is redesignated as sec. 24.)

Sec. 36-227 Renumber to be Sec. 36-224
The Board of Education of the District of Columbia [shall exercise general supervision and appellate jurisdiction over the agents and employees of said board engaged in the execution of this chapter.] is hereby empowered to carry out

and enforce the provisions of this chapter, and is | 477
authorized to promulgate such regulations as may be | 477
necessary to effectuate the purposes of this chapter. The | 479
Board of Education is further authorized to delegate the | 479
performance of any of its functions and duties under this | 479
chapter to any officer, agent, or department of the Board, | 480
and to appoint such number of child labor inspectors or | 480
other employees as may be necessary to carry out the | 481
provisions of this chapter. | 481

(Note: This section is sec. 25 of Bill 1-48) | 483

Sec. 36-225 | 485

This Act may be cited as the 'District of Columbia | 487

Employment of Minors Act'. | 487

(Note: This section is sec. 26 of Bill 1-48) | 489

[PUBLIC—No. 618—70TH CONGRESS]

[H. R. 6685]

An Act To regulate the employment of minors within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no child under fourteen years of age shall be employed, permitted, or suffered to work in the District of Columbia, in, about, or in connection with any gainful occupation, with the exemption of housework performed outside of school hours in the home of the child's parent or legal guardian or agricultural work performed outside of school hours in connection with the child's own home and directly for the child's parent or legal guardian: *Provided*, That boys ten years of age and over may be employed outside of school hours in the distribution or sale of newspapers, subject to the provisions of sections 17 to 24 of this Act.

SEC. 2. No minor under eighteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work, or housework, or in the distribution or sale of newspapers, as specified in section 1 of this Act, and except in newspapers stuffing, subject to the provisions of section 17 of this Act, more than six consecutive days in any one week, or more than forty-eight hours in any one week, or more than eight hours in any one day, nor shall any girl under eighteen years of age or boy under sixteen years of age be so employed, permitted, or suffered to work before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening of any day, nor shall any boy between sixteen and eighteen years of age be so employed before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day. Every employer shall post and keep conspicuously posted in the establishment, in or about which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official authorized to enforce this Act, setting forth the legal regulations governing the employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, shall keep accessible in the place of employment a list of minors under eighteen employed, permitted, or suffered to work, and an accurate time record showing the hours of beginning and ending work each day and the hours when the time allowed for meals begins and ends for said minors. The presence of any such minor in the place of work for a longer time in the day or week than stated in the printed regulation hours shall be prima facie evidence of a violation of the provisions of this section.

SEC. 3. No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment, dangerous or prejudicial to the life, health, safety or welfare of such minor. It shall be the duty of the Board of Education of the District of

Columbia, and the said board shall have power, jurisdiction, and authority, after hearing duly held, to issue general or special orders prohibiting the employment of such minors in any employment or at any place of employment dangerous or prejudicial to the life, health, safety, or welfare of such minors: *Provided*, That no such order shall permit the employment of any minor at any employment specified in sections 4 to 7 of this Act at a lower age than the age therein specified.

SEC. 4. No minor under sixteen years of age shall be employed, permitted, or suffered to work at any of the following occupations: (1) In the operation of any machinery operated by power other than hand or foot power; or (2) in oiling, wiping, or cleaning machinery or assisting therein.

SEC. 5. No minor under eighteen years of age shall be employed, permitted, or suffered to work (1) at operating any freight or passenger elevator, or (2) in any quarry, tunnel, or excavation, or (3) in any tobacco warehouse or cigar or other factory or place where tobacco is manufactured or prepared. No girl under the age of eighteen years shall be employed, permitted, or suffered to work in any retail cigar or tobacco store, or in any hotel or for any apartment house, or as an usher, attendant, or ticket seller in any theater or place of amusement, or as a messenger in the distribution or delivery of goods or messages for any person, firm, or corporation engaged in the business of transmitting or delivering messages.

SEC. 6. No male between the ages of eighteen and twenty-one shall be employed, permitted, or suffered to work as a messenger for any person, firm, or corporation engaged in the business of transmitting or delivering messages before five o'clock in the morning or after twelve o'clock midnight of any day nor shall any female between the ages of eighteen and twenty-one be so employed before the hour of six o'clock in the morning, or after the hour of seven o'clock in the evening of any day.

SEC. 7. No person having in his custody or control a minor under the age of sixteen years shall employ, exhibit, apprentice, sell, give away, or in any way dispose of such minor with a view to such minor being employed as an acrobat, or a gymnast, or a contortionist, or ropewalker, or in any exhibition of like character, or as a beggar, or street singer, or musician, or cause or procure such minor to be so engaged.

SEC. 8. No minor between fourteen and eighteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work or housework as specified in section 1 of this Act, unless his employer procures and keeps on file and accessible to any attendance officer, inspector, or other person authorized to enforce this Act a work or vacation permit issued as hereinafter prescribed, except that children between fourteen and eighteen years of age may be employed without a permit outside of school hours in irregular or casual work usual to the home of the employer: *Provided*, That such employment shall not be in connection with nor form a part of the business, trade, profession, or occupation of the employer: *And provided further*, That such employment shall not be specifically prohibited by any provision of this Act or by any order issued under the authority of section 3 of this Act.

SEC. 9. The work or vacation permit required by this Act shall be issued only by the director of the department of school attendance and work permits created under the board of education according to the provisions of the Act of Congress, approved February 4, 1925, entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," or by any person duly authorized by said director, and shall state the name, sex, color, date, and place of birth, and place of residence of the minor, the grade last completed by said minor, and the kind of evidence of age accepted, and such other details as may be necessary for the identification of the minor. It shall certify that all the requirements for issuing a work or vacation permit under the provisions of this Act have been fulfilled and shall be signed by the person issuing it. It shall state the name and address of the employer for whom and the nature of the specific occupation in which the work permit authorizes the minor to be employed, and no permit shall be valid except for the employer so named and for the occupation so designated. It shall bear a number, shall show the date of its issue, and shall be signed by the minor for whom it is issued in the presence of the person issuing it, and shall be mailed to the employer by the issuing officer, and in no case given to the minor. A record giving in full for each applicant the facts with reference to his sex, color, date, and place of birth, name and address of parent, guardian, or custodian, name and address of employer, and nature of the specific occupation in which the minor is to be employed, grade and school last attended, evidence of age, and date of issuance or date of refusal of certificate, with reason, shall be kept in the department of school attendance and work permits, together with the physician's certificate of physical fitness, the school record, and the employer's statement of intention to employ the child. Lists shall be sent weekly to each school during the school term giving the names and addresses of all children from that school to whom permits have been issued or refused.

SEC. 10. The officer authorized in section 9 of this Act to issue work or vacation permits shall issue such permits only upon the application in person of the minor desiring employment, accompanied, if said minor is under sixteen years of age, by his parent, guardian, or custodian, and after having received, examined, and approved and filed the following papers, namely:

(a) A statement signed by the prospective employer or by some one duly authorized on his behalf, stating that he expects to give such minor present employment, setting forth the specific nature of the occupation in which he intends to employ such minor, and the number of hours per day and of days per week which said minor shall be employed, and agreeing to send the notice of the commencement of employment, and to return the permit according to the provisions of this Act.

(b) Evidence of age as provided in section 11 of this Act, showing that the minor is at least fourteen years of age.

(c) A certificate of physical fitness, if such minor is under sixteen years of age; otherwise no such certificate of physical fitness shall be required. Such certificate of physical fitness shall be signed by a medical inspector of the public schools of the District of Columbia,

assigned by the board of health for such purpose. It shall show the height and weight of the minor and shall state that the said minor has been thoroughly examined by the said physician at the time of his application for a permit, has attained the normal development of a minor of his age and is in sound health, and is physically qualified for the employment specified in the statement submitted in accordance with the requirements of this Act.

(d) A school record, if such minor is under sixteen years of age; otherwise no such record shall be required. Such school record shall be filled out and signed by the teacher of the class last attended by the minor and countersigned by the principal of the school, public, private, or parochial, which the minor has last attended or by some one duly authorized by him: *Provided*, That the signature of the teacher shall not be required in the case of a school record filled out during the summer vacation period of the public schools. It shall certify that the said minor is able to read and write correctly sentences in the English language, has satisfactorily completed the eighth grade of the elementary school course prescribed for the public schools in the District of Columbia, or has regularly received in a private or parochial school instruction deemed equivalent by the Board of Education to that prescribed for the completion of the eighth grade in the public schools. Such school record shall give also the full name, date of birth, grade last completed, and residence of the minor as shown on the records of the school.

SEC. 11. The evidence of age required by this Act shall consist of one of the following proofs of age, which shall be required in the order herein designated:

(a) A birth certificate or attested transcript issued by a registrar of vital statistics or other officer charged with the duty of recording births.

(b) A baptismal record or duly certified transcript thereof showing the date of birth and place of baptism of the minor.

(c) A bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the records of the births in the family of the child are preserved, or other documentary evidence satisfactory to the director of the department of school attendance and work permits, such as a passport showing the age of the child, a certificate of arrival in the United States issued by the United States immigration officers and showing the age of the child, or a life-insurance policy: *Provided*, That such other satisfactory documentary evidence has been in existence at least one year prior to the time it is offered in evidence: *And provided further*, That a school record or a parent's, guardian's, or custodian's affidavit, certificate, or other written statement of age shall not be accepted except as specified in paragraph (d).

(d) A certificate of physical age, signed by a medical inspector of the public schools assigned by the board of health for such purposes and based upon a physical examination, which shall state the height and weight of such minor and other evidence upon which the opinion as to the age of such minor is founded. A parent's, guardian's, or custodian's affidavit of age, and a record of the age as given in the register of the school first attended by the minor, if obtainable, or in the earliest available school census, shall accom-

pany the physician's certificate of age. And no work or vacation permit shall be issued if any of the above possible sources shows the minor to be under the age of fourteen.

The proof of age specified in subdivision (a) shall be accepted in preference to that specified in any subsequent subdivision, and no proof of age permitted by any subsequent subdivision shall be accepted unless there be received and filed substantial evidence that the proof required by the preceding subdivisions can not be obtained. Should such preferred proof of age be later procured, or if subsequent proof of age shall be procured and shall conclusively establish the falsity of the proof previously accepted, the director of the department of school attendance and work permits shall cancel the permit and issue or refuse a new one according to the age thus established.

Sec. 12. The director of the department of school attendance and work permits, or any person duly authorized by him, shall have authority to issue a vacation permit to a minor between the age of fourteen and sixteen years, permitting employment during the regular summer vacation period of the public schools, or during the school term at such time as the public schools are not in session, if the age of such minor has been proved according to section 11 of this Act, and such minor has in all other respects, except as to completion of the eighth grade, fulfilled the requirements for a work permit specified in this Act. These permits shall be different in color from the work permit allowing employment while school is in session and shall state the periods during which its use is valid.

Sec. 13. Every employer receiving a work or vacation permit shall notify the department in writing within three days of the time of the commencement of the employment of such minor, and within three days after termination of the employment shall return said permit to the department. Failure to so notify shall be cause for the cancellation of the permit; and failure to so return it shall be cause for the refusal of further permits upon the application of such employer. Returned permits shall be filed and the proper school authorities notified. A new certificate shall not be issued to any minor except upon presentation of a new promise of employment and a new certificate of physical fitness.

Sec. 14. Whenever any person authorized to enforce this Act shall have reason to doubt that any minor employed in any occupation for which a permit is required by this Act, and for whom a work permit or vacation permit is not on file, has reached the age of eighteen years, such person may make demand on such minor's employer that such employer shall either furnish him within ten days the evidence required for a work permit showing that the minor is in fact eighteen years of age, or shall refuse to employ or permit or suffer such child to work. In case such evidence is not furnished to such person within ten days after such demand, the employer shall not thereafter continue to employ such minor or permit or suffer such minor to work in such establishment. Proof of the making of such demand and of failure to deliver such proof of age shall be prima facie evidence, in any prosecution brought for violation of this Act, that such minor is under eighteen years of age and is unlawfully employed.

SEC. 15. Whoever employs or permits or suffers any minor to be employed or to work in violation of any of the provisions of sections 1 to 14, inclusive, of this Act, or of any order issued under the provisions of section 3 of this Act, or interferes with, obstructs, or hinders the department enforcing the child labor law, its officers or agents, or any other person authorized to inspect places of employment under this Act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of any of the provisions of sections 1 to 14, inclusive, of this Act, shall for a first offense be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment not less than ten days nor more than thirty days, or in the discretion of the court by both such fine and imprisonment, and for any subsequent offense shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment not less than thirty days nor more than ninety days, or in the discretion of the court by both such fine and imprisonment. Every day during which any violation of this Act continues shall constitute a separate and distinct offense.

SEC. 16. It shall be the duty of the director of the department of school attendance and work permits organized under the Board of Education of the District of Columbia and of the authorized inspectors and agents of said department to cause all the provisions of this Act to be enforced, to make complaints against persons violating its provisions, and to prosecute violations of the same. The director of the said department, its inspectors, and agents are empowered and instructed to visit and inspect at any time, and as often as shall be necessary in order effectively to enforce the provisions of this Act, all places where minors are employed, and shall have authority to enter any place or establishment covered by the terms of this Act, and to have access to work or vacation permits kept on file by the employer and such other records as may aid in the enforcement of this Act. All persons authorized to issue certificates of physical fitness and all attendance officers and probation officers are likewise empowered to visit and inspect at all reasonable hours all places where minors may be employed.

SEC. 17. No boy under sixteen years of age shall be employed in the stuffing of newspapers, nor shall the work of any boy between the ages of sixteen and eighteen so employed exceed forty hours in any one week, nor shall he be employed on more than one night in any one week. No boy under twelve years of age and no girl under eighteen years of age shall distribute, sell, expose, or offer for sale any newspapers, magazines, periodicals, or any other articles or merchandise of any description, or distribute handbills or circulars, in any street or public place, or exercise the trade of bootblack or any other trade, in any street or public place: *Provided*, That the provisions of this Act shall not apply to boys ten years of age and over engaged in the distribution of newspapers, magazines, or periodicals on fixed routes.

SEC. 18. No boy under sixteen years of age shall work or shall be employed or permitted or suffered to work at any of the trades or occupations mentioned in section 17 of this Act, in any street or public place after the hour of seven postmeridian or before the hour of six antimeridian, or, unless holding a work permit issued in

accordance with the provisions of this Act, during the hours when the public schools are in session.

SEC. 19. No boy under sixteen years of age shall work at any time, or be employed or permitted or suffered to work at any time, in any of the trades or occupations mentioned in section 17 of this Act, unless he shall have procured and shall carry on his person in plain sight while so working a badge as hereinafter provided, issued by the director of the department of school attendance and work permits, or some person duly authorized by him, and unless he complies with all the legal requirements concerning school attendance.

SEC. 20. The officer authorized by this Act to issue street-trades badges shall issue such a badge only upon application of the minor desiring it, accompanied by the parent, guardian, or custodian of such minor, and after having received, examined, approved, and filed the following papers: (1) Evidence that the minor is of the age required by section 17, which shall consist of the same evidence as is required for a work permit under this Act; (2) evidence of physical fitness, which shall consist of a certificate of physical fitness issued as required for a work permit under this Act; (3) a statement signed by the principal of the school and the teacher of the class which the minor is attending, stating that such minor is regularly enrolled in school and showing the grade such minor has attained, and certifying that in their opinion the minor is physically and mentally qualified to undertake the work contemplated without retarding his progress in school: *Provided*, That a work permit issued as required by this Act may be accepted by the issuing officer in lieu of any other requirements for said badge.

SEC. 21. Such badge shall bear a number, and every such badge on its reverse side shall be signed in the presence of the officer issuing the same by the minor in whose name it is issued, and shall contain the minor's address and date of birth and such other information as the officer issuing the same shall deem necessary. A complete record of badges issued and refused, and of the facts relating thereto, including the name and address of the parent, guardian, or custodian, the height and weight of the minor, the day, year, and month of birth of the minor, the date of issuance and kind of evidence of age accepted, and school grade and name of school attended, shall be kept in the office of the director of the department of school attendance and work permits. No minor to whom such badge is issued shall give, lend, sell, or otherwise transfer it to any other person, or be engaged in any of the trades or occupations mentioned in this section without having conspicuously on his person such badge, and he shall exhibit the same upon demand to any police or attendance officer, or to any person charged with the duty of enforcing this Act. Lists shall be sent weekly to each school during the school term, giving the names and addresses of all minors to whom street trades badges have been issued and refused. The principal of each school shall keep a complete list of all minors in his school to whom badges, as herein required, have been issued, and whenever in the opinion of said principal the possession of any such permit and badge is detrimental to the school standing or well-being of any such minor, shall recommend to the officer issuing the same that the badge of such minor be revoked. All such badges shall expire annually on the 1st

day of January. The color of the badge shall be changed each calendar year.

SEC. 22. Any minor who shall engage in any of the trades or occupations mentioned in section 17, in violation of any of the provisions of section 17 to 24 of this Act, shall for the first offense be warned by the director of the department of school attendance and work permits and the parent, guardian, or custodian of such minor shall be notified. For any subsequent violation, while under the care of said parent, guardian, or custodian, and with his or her knowledge or consent, said minor may, in the discretion of the court, be deemed to be lacking in proper parental care and guardianship, and may on petition filed for that purpose, and in the discretion of the court, be committed to the board of public welfare of the District of Columbia until twenty-one years of age or for a shorter period as the court may see fit, the said board of public welfare being hereby expressly authorized and required to receive minors so committed. The court may, instead of immediate commitment, suspend the imposition or execution of judgment of commitment, or may, after partial hearing and instead of proceeding to judgment, suspend further proceedings without judgment, with the consent of the parent, guardian, or custodian of said minor, and in either event may assign a probation officer of the juvenile court to exercise probationary supervision over said minor, said probationary supervision to continue in force and the said minor to remain under the jurisdiction and control of the court as a ward of the court until said minor attains the age of seventeen years, or unless sooner discharged by order of the court or committed to said board of public welfare, the court hereby being given power to withdraw said case from said probationary supervision at any time during said probation period, and after a hearing may commit said minor at once to the said board if, in the opinion of the court, the best interests and welfare of said minor shall so require. Upon the recommendation of the principal or chief executive officer of the school which such minor is attending or upon the complaint of any school attendance officer, or any officer authorized to enforce this Act, the badge of any minor who violates any provision of this Act, or who becomes delinquent, or who fails to comply with all the legal requirements concerning school attendance, may be revoked by the director of the department of school attendance and work permits for such period as the said officer may require; and upon revocation said officer shall so notify the parent, guardian, or custodian having such minor in charge, and it shall thereupon become the duty of said parent, guardian, or custodian to surrender or require said minor to surrender said badge to the said officer. After notice to such minor and his parent, guardian, or custodian of revocation of such badge, he shall be deemed to be in the same status as a minor without a badge. The refusal of any such minor to surrender his badge upon such revocation shall be deemed a violation of this Act.

SEC. 23. Any person who, either for himself or as agent of any other person, or of any firm, corporation, or company, furnishes or sells or offers for sale to any minor under sixteen any article of any description to be used for the purpose of sale or distribution in any public place, shall first ascertain that said minor wears his own

badge in plain sight as herein provided, and if said minor has no badge, no article shall be furnished or sold to him. Any person who fails to comply with the foregoing provision, or who furnishes or sells or offers for sale to any minor any article of any description, with the knowledge that he intends to sell or distribute such article in violation of any provision of this Act, or after having received written notice from any officer charged with the enforcement of this Act, that such minor is selling such article in violation of any provision of said Act, or any person who procures any minor to violate any provision of said Act, shall for a first offense be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than ten nor more than thirty days, or by both such fine and imprisonment, and for any subsequent offense shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than thirty nor more than ninety days, or by both such fine and imprisonment. Whoever, having under his control or custody any minor, permits or consents to the violation by such minor of any of the provisions of sections 17 to 23, inclusive, of this Act, shall for a first offense be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment of not less than five nor more than thirty days, or by both such fine and imprisonment, and for any subsequent offense shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not less than ten nor more than sixty days, or by both such fine and imprisonment.

SEC. 24. No boy under the age of sixteen years required by law to attend school shall be permitted by any newspaper publisher or printer or person having for sale newspapers or periodicals of any character, to loiter or remain around any salesroom, assembly room, circulation room, or office for the sale of newspapers, between the hours of the opening of school in the forenoon and the close of school in the afternoon, on days when school is in session. Any newspaper publisher, printer, circulation agent, or seller of newspapers shall, upon conviction of permitting newsboys to loiter or remain around any assembly room, circulation room, salesroom, or office where papers are distributed or sold during such hours, be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than ten days or more than thirty days.

SEC. 25. The Board of Education of the District of Columbia is hereby authorized, empowered, and directed to appoint such a number of inspectors, clerks, and other assistants as shall be necessary to carry out the provisions of this Act: *Provided*, That at least two inspectors shall be so appointed. Such appointments shall be made from a list of applicants obtained from open competitive examinations conducted by the boards of examiners of the Board of Education designed to test the fitness of the applicant for the duties to be performed.

SEC. 26. The juvenile court of the District of Columbia is hereby given jurisdiction in all cases arising under this Act.

SEC. 27. The Act of Congress approved May 28, 1908, entitled "An Act to regulate the employment of child labor in the District of Columbia," and all other Acts or parts of Acts inconsistent herewith, are hereby repealed.

SEC. 28. If any provision of this Act or the application of such provision to certain circumstances be held invalid, the remainder of the Act and the application of such provision to circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 29. The Board of Education shall exercise general supervision and appellate jurisdiction over the agents and employees of said board engaged in the execution of this Act.

SEC. 30. This Act shall take effect on the 1st day of July, 1928.

Approved, May 29, 1928.

Council of the District of Columbia

COMMITTEE ON EDUCATION, RECREATION, & YOUTH AFFAIRS

Roundtable Discussion

Bill 1-48 "Child Labor Amendments of 1975"

October 30, 1975

Committee Members

Julius W. Hobson, Chairperson
Willie Hardy
William Spaulding
Sterling Tucker

Participants

Mr. David Splitt, General Counsel, D.C. Board of Education
Ms. Diane Lewis, Special Assistant, President D.C. Board of Education
Ms. Pat Darneille, Child Labor Inspector, D.C. Public Schools
Mr. Richard Hurlbut, Coordinator, Standing Committee on Legislation, D.C. P.S.
Mr. George Margolies, Labor Counsel, D.C. Public Schools
Ms. Jacobeth Novak, Director, Dept. of School Attendance & Work Permits, D.C.P.S.
Ms. Blanche C. Stephens, Child Labor Inspector, D.C. Public Schools
Dr. James L. Jones, Director, Office of Youth Opportunity Services
Mr. Curtis Taylor, Operations & Resources Specialist, O.Y.O.S.
Mr. A. James Woodward, Chief, Juvenile Delinquency Division, O.Y.O.S.
Mr. Chauncey H. Williams, Mayor's Legislation Office
Mr. Roberto Baquerizo, Spanish Education Development Center
Ms. Josephine Butler, Citizen (written statement)
Ms. Trahon Harris, D.C. Chamber of Commerce
Ms. Harriet Hubbard, Federation of Citizens Associations of D.C.
Mr. Bruce Johnston, Greater Washington Central Labor Council
Ms. Diane Josephson, American Civil Liberties Union of the Nat'l Capital Area
Mr. Sandy Kaplan, Greater Washington Central Labor Council
Ms. Mary Dublin Keyserling, Commission on the Status of Women
Ms. Lillian M. Long, Washington Urban League
Ms. Pat Nagle, D.C. Citizens for Better Public Education
Ms. Gloria Ward, S.W. Community House

City Council Staff

Mr. Edward Webb, General Counsel
Ms. Patricia Evans Miner, Committee Clerk
Mr. Lou Aronica

DRAFT

D.C. Child Labor Law including proposed amendments to
existing law as proposed by Bill 1-48 and the Education,
Recreation, and Youth Affairs Committee report.

Material to be deleted by proposed amendments in
existing law is shown in brackets []; material to be
included is shown underlined.

The following displays how the D.C. Code, Section 36,
articles 201 to 228, will be revised if Bill 1-48 is
adopted.

Sec. 36-201

[No Child] Except as provided in section 36-206 and section
36-207, no minor under fourteen years of age shall be
employed, permitted, or suffered to work in the District of
Columbia, in, about, or in connection with any gainful
occupation, with the exemption of house-work performed
outside of school hours in the home of the [child's] minor's
parent or legal guardian or agricultural work performed
outside of school hours in connection with the [child's]
minor's own home and directly for the [child's] minor's
parent or legal guardian: Provided, That [boys] minors ten
years of age and over may be employed outside of school
hours in the distribution or sale of newspapers, subject to
the provisions of sections 36-215 to 36-221.

Sec. 36-202

SUMMARY OF COMMENTS
ROUNDTABLE DISCUSSION ON BILL 1-48
COMMITTEE ON EDUCATION, RECREATION, AND YOUTH AFFAIRS
October 30, 1975

Ms. Jacobeth Novak, Director of the Department of School Attendance and Work Permits, D.C. Public Schools, presented a statement on the general purpose and effects of the amendments to the Child Labor Law as proposed by Bill 1-48. She commented that the D.C. Public Schools had considered replacing the present permit system with a certificate of eligibility system. Based on the experiences of other major cities which had instituted such a system, however, the public schools decided to retain the permit system.

Ms. Pat Darneille, Child Labor Inspector, D.C. Public Schools, described, section by section, the changes made by the proposed amendments. She pointed out that provisions in various sections have been brought into conformity with federal law. She detailed the process by which work permits can be obtained at a central location as well as at six centers in various parts of the city. During the spring, when a large number of permits are issued, permits are available at the 12 senior high schools as well as various mobile locations, at the request of the Office of Youth Opportunity Services (see Tables I and II).

Approximately 30 complaints are received each month by the Department of School Attendance and Work Permits. These complaints are handled by contacting the employer and explaining the provisions of the law; this has proven sufficient to correct any technical violations of the law. In the recent past, no violations have been referred to the courts for prosecution. The deletion of the requirement that minors under 16 years of age obtain physical examinations prior to issuance of permits has been proposed due to the lack of public health personnel to perform these examinations (see attached letter from Dr. Janet Nelsen, Chief, School Health Services Branch, Department of Human Resources to the D.C. Public Schools):.

Mr. George Margolies, Labor Counsel, D.C. Public Schools, observed that some suggestions offered during the discussion would have the effect of distorting the intent of the legislation currently under consideration by transforming it into an omnibus bill to attack general employment ills and governmental reorganization needs. He pointed out that employed minors are covered by minimum wage, workmen's compensation, and occupational safety and health provisions. Child labor legislation has two purposes: protecting minors against oppressive labor conditions and facilitating employment for minors.

Mr. David Splitt, General Counsel, D.C. Board of Education, cautioned against making the conditions of employment, the process for obtaining work permits, and the penalties for violations so onerous that employers will refrain from offering jobs to minors. He stressed the need for compromise in order to maintain the dual purpose of such legislation.

Dr. James Jones, Director, Office of Youth Opportunity Services, proposed that work permits be replaced by certificates of eligibility and that the issuance and enforcement functions of either system should be transferred to the proposed Department of Labor (see attached letter from Julian Dugas to Vincent Reed). He questioned the degree of employer monitoring in recent years, as well as the enforcibility of the loitering provision of section 224. Dr. Jones maintained that the compliance process with this provision must be made more definitive and explicit.

Mr. Roberto Baquerizo, Spanish Education Development Center, questioned the health conditions under which minors often work; he agreed with several other participants that the penalties for violations are too lenient. He proposed wide distribution of a pamphlet to inform minors and other residents of minor's rights in employment situations. He stressed the necessity for coordination of vocational education with employment programs. He further suggested that the economic or job needs of families should be addressed; family income maintenance programs should be explored instead of seeking additional jobs for minors.

Ms. Josephine Butler, Citizen, submitted a written statement which called for the payment of subsidies to students in need, so that the learning process in not encumbered with economic responsibilities. She expressed a need to increase the schools' retention of students, rather than encourage their employment.

Ms. Harriet Hubbard, Federation of Citizens Associations of the District of Columbia, asserted that, as constitutued, the work permit process has no educational value, because occupational training is not an outcome. She was concerned with arbitrary job dismissals which may be unattended by the persons enforcing this legislation. She questioned the extent to which minors are covered by health and safety regulations, minimum wagees, or insurance benefits in employment situations. She suggested that the comprehensive education-economic programs of European countries be reviewed as potential models for replication in the District of Columbia. She further suggested that the enforcement functions become the initial responsibility of the Board of Education with the courts as the final recourse.

Mr. Bruce Johnson, Greater Washington Central Labor Council, questioned the adequacy of employment follow-up services after the issuance of work permits. He agreed that the proposed Department of Labor is necessary, but he felt that discussions to transfer the permit functions to a nonexistant department to be premature. He stated that employers are not overly concerned with the rights of minors in work situations and would probably ignore a process of voluntary compliance.


Ms. Diane Josephson, American Civil Liberties Union of the National Capital Area, suggested that the time allotted to issuing permits be used to inspect the employment conditions of minors. She maintained that the pre present system is more convenient for employers, with no real benefits for minors. She concluded that a broader investigation into the question of the employment of young people is required.

Ms. Mary Dublin Keyserling, Commission on the Status of Women, emphasized strongly that the penalties for violations are too low, and asked that all sexual references be eliminated. She urged that Bill 1-48 not be deferred over considerations of the establishment of a Department of Labor. She felt that if the permit function is eventually to be vested in the Department of Labor, there must be a highly integrated coordination with the D.C. Public Schools. She also opposed efforts to establish a certificate of eligibility system because unlimited abuses become possible. Ms. Keyserling suggested amendments to other sections of the D.C. Code which include specific references to child labor: Sec. 36-202, Sec. 36-127, Sec. 36-128, and Sec. 36-308. She felt that language is needed to correct Sec. 36-128, 207a and 210, relating to married minors who still require parental consent for employment. She also suggested that the committee broaden the context of its deliberations to include a consideration of the impact of relaxing the permit requirements for 14 and 18 years of age minors, as well as the employment needs of 18 to 21 year old persons.

Ms. Pat Nagle, D.C. Citizens for Better Public Education, did not see the necessity for work permits in the absence of any mechanism of control. She raised the problem of requiring college students to obtain work permits. She further recommended that the maximum age of application be lowered to prevent unnecessary burden on college students. This action would be consistent with the State of California and Fairfax which have legislated age ceilings of 14 and 15 years of age, respectively. She also suggested that Sec. 204 interferes with career development programs in such areas as auto repair.

BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA

PRESIDENTIAL BUILDING
415 TWELFTH STREET, N. W.
WASHINGTON, D. C. 20004

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JOHN E. WARREN

December 5, 1975

DWIGHT S. CROPP
EXECUTIVE SECRETARY

DAVID A. SPLITT
GENERAL COUNSEL

The Honorable Julius W. Hobson, Chairperson
Committee on Education, Recreation and Youth Affairs
Council of the District of Columbia
The District Building
Fourteenth and E Streets, N. W.
Washington, D. C. 20004

Dear Chairperson Hobson:

As a member of the Board of Education, and an individual especially concerned with opportunities for youth, I make the following recommendations with regard to amendments to the Child Labor Laws (Council Bill 1 - 48) which are presently being considered by your Committee.

1) Enforcement of the Child Labor Law

The current responsibility for enforcement of the law is carried out effectively by the Office of School Attendance and Work Permits. A staff of two Child Labor Inspectors and one administrative clerk, assisted by 15 clerk-typists from April through July, issued 24,536 work permits in 1975.

Changes should be made to correct ineffectiveness and inefficiency; not simply for the sake of change. Where is the data to show that the present procedure is inadequate? I would appreciate seeing such data. I urge the Committee on Education, Recreation and Youth Affairs to go back and take a hard look at this bill. Hopefully, the changes that will be made will be only those which positively affect opportunities for our youth.

1) Continuance of Work Permit Procedure

The work permit procedure, as opposed to the certificate of eligibility, provides the opportunity to monitor the type of work each youth intends to do. The welfare of the minor, which is the specific concern of the law, is safeguarded because permits are denied for types of employment which are considered inappropriate for minors. I favor the continuance of the work permits as opposed to the use of a certificate of eligibility.

3) Perfecting and Extending Provisions

The legislative proposal of the D. C. Schools addressed the following changes in the law which I endorse:

- a) Elimination of obsolete job restrictions which discriminated on the basis of sex
- b) Extension of working hours to allow more employment opportunities
- c) Facilitating approval by no longer requiring parents to appear in person when student applies for work permit.

Therefore, I urge the City Council to adopt only these changes, and to resist the efforts to move the Work Permits branch to a newly formed Department of Labor.

Thank you for your attention to this important matter.

Sincerely,



William W. Treanor
Representative Ward 11
Board of Education

BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA

PRESIDENTIAL BUILDING

415 TWELFTH STREET, N. W.
WASHINGTON, D. C. 20004



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DWIGHT S. CROPP
EXECUTIVE SECRETARY

DAVID A. SPLITT
GENERAL COUNSEL

November 18, 1975

The Honorable Julius W. Hobson, Chairperson
Committee on Education, Recreation and Youth Affairs
COUNCIL of THE DISTRICT of COLUMBIA
The District Building
Fourteenth and E Streets, N. W.
Washington, D. C. 20004

Dear Chairperson Hobson:

Thank you for your letter of November 3, 1975, in which you conveyed certain concerns expressed during the roundtable discussion on Council Bill Number 1-48, the "Child Labor in the District of Columbia Act of 1975".

Pursuant to your inquiries, the attached report has been prepared for your review and consideration. If any additional information is needed, please contact Mr. Dwight Cropp on 737-1767 in Room 1205, Presidential Building.

Very sincerely yours,

Virginia Morris
Virginia Morris
President

VM:b
Attachment

cc: Board Members
Mr. Reed

What type of cooperative arrangement might provide the necessary coordination with the Board of Education if this function were transferred to another department?

Response:

I presume your question is in reference to whether a new D. C. Department of Labor might more appropriately enforce the Child Labor Law in coordination with the D. C. Board of Education. At this time, to our knowledge, the proposed Department of Labor has not yet been organized or structured and thus, it remains to be seen whether or not it will have the proper resources to administer the law.

As you are aware, it is the Board of Education's position that the enforcement of the Child Labor Law, presently vested in the Board of Education, has been carried out more than adequately. The staff of the office of School Attendance and Work Permits has issued 24,536 permits in 1975 and has strictly enforced the prohibitions set out in the law. Significantly, a close working relationship has been established with the D. C. Manpower Office and the Mayor's Office, Youth Opportunity Services. Such coordination has enhanced the effectiveness of our operations.

Nevertheless, should the Council choose to transfer these responsibilities to a new Department of Labor, the Board will be in a position to consider the necessary coordination.

What procedure did the Board of Education utilize to inform the public of their legislative proposals and allow for comment? Were youth involved in the development of this particular bill, which so directly affects them?
Please provide documentation of citizen and youth involvement for our records.

Response:

The amendments to the present Child Labor Law were initially introduced by the Board of Education to Congress in 1969 reflecting a response to concerns received by the School Attendance and Work Permits Branch from minors, parents, citizens, employers, Department of Labor, Youth Services, D. C. Manpower Office and the Mayor's Office.

The revisions further resulted from provisions embodied in 1972 amendments to the Civil Rights Act of 1964 and regulations promulgated pursuant to the Fair Labor Standards Act.

Since the Council had not released at that time a suggested procedure for the legislative process, in terms of whether public hearings would be held by the agency initiating the legislative proposal, as well as by the Council, public hearings were not scheduled by the Board of Education on the draft bills contained in the 1975 Legislative Program submitted to the Council on March 7, 1975. Data from Survey of Legislative Needs of School System are currently being used by Superintendent's Standing Committee on Legislation. (See attachment 1)

I would like more detailed justification on the substantive changes in the Child Labor Law proposed by the Board of Education. Specifically, I would like background information on the rationale for preserving the work permit system as opposed to certificates of eligibility. What is the explanation for proposing the deletion of the requirement for a health examination; testimony by representatives of the Board and public school administration revealed that this was primarily due to the expressed lack of ability by the public health service to provide such examinations in the future. Can you provide me with copies of the pertinent correspondence?

Response:

Specific changes which resulted from such legislation were the elimination of obsolete job restrictions by discrimination on the basis of sex, expansion of current job opportunities by extending possible working hours, expanding areas of employment and facilitating the issuance of work permits by removing the physical examinations and the need for parents to appear in person to sign consent for minors under 16 years of age. The revisions further clarified obsolete or abstruse terminology, deleted unnecessary procedures and simplified law enforcement. The rationale for preserving the work permit as opposed to the certificate of eligibility resulted from a survey by the Department of School Attendance and Work Permits of the New York school system which had adopted the certificate of eligibility and discontinued its use about two years ago and returned to the former system. The certificate of eligibility was discontinued because the Child Labor Law could not be properly enforced as controls were removed. Employers complained that the onus of compliance with the law should not be their responsibility. The certificate of eligibility procedure did not permit the monitoring of types of employment and failed to provide safeguards for the welfare of the minor as currently provided by law.

The health examinations were discontinued following a letter from Dr. Janet W. Neslen, M.D., M.P.H., Chief, School Health Services Branch, to Dr. Wilbur A. Millard, Assistant Superintendent of Pupil Personnel Services, 9-18-74, due to decrease in medical personnel. (See attachment 2) The suggestion in Dr. Neslen's letter to arrange with school nurses for physical examinations by a Public Health doctor as required by law could not be implemented as schools were not staffed during the summer and clinics' priorities were devoted to persons in need of medical care.

Please provide data on the number of work permit applications, number actually granted by month, number revoked, number and type of complaints, and number of referrals to the courts for action; this information is requested for FY 1974 and FY 1975, as well as for FY 1976 to date.

Response:

Attached are data for the number of work permits issued by month at the Presidential Building, 6 Pupil Personnel Centers, 12 Senior High Schools and outside centers for FY 1974, FY 1975 and FY 1976 to date; the number and type of complaints; number of work permits revoked, and number of work permits refused.

Violations of the Child Labor Law have rarely been referred to the court for prosecution. Compliance is usually effected by Child Labor Inspectors after violations are indicated to prospective employers. If required adjustments are not forthcoming, the minor's employment is usually terminated.



ATTACHMENT 2

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN RESOURCES
COMMUNITY HEALTH AND HOSPITALS ADMINISTRATION
WASHINGTON, D. C. 20009

September 18, 1974

Dr. Wilbur Millard
Assistant Superintendent
Division of Pupil Personnel Services
District of Columbia Public Schools
415 12th Street, N.W.
Room 913
Washington, D.C. 20004

Dear Dr. Millard:

The assignment of school health personnel into the Presidential Building for the Work Permit Examinations has been carried out during the summer. As expected, there were many students asking for the examinations when school closed in June. Forty-nine students were examined in June, 16 in July, and 5 in August.

I have consulted with Dr. Blanche Bourne, Chief, Bureau of Clinical Services, and, as always, we regret discontinuing any service. However, continued decreases in medical personnel throughout the Bureau of Clinical Services and especially in the School Health Program make it impossible to continue lesser priority services. Stretching the existing personnel to the limit will not allow coverage of all first priority school health services this year. So, with the start of the new school year, students can arrange with nurses in their schools to obtain the needed work permit examination in their own school setting. Students not enrolled in the D.C. Public Schools can arrange an examination by calling Miss Lee Tancungco, Supervisor of Nursing Service Area #9. Miss Tancungco has implemented these health services for many years and is thoroughly familiar with the requirements. She will arrange for examinations of non-public school students through existing school or clinic services, or by special arrangements with this Office, School Health Services Branch.

The demand for work permit examinations will undoubtedly increase next spring. In advance of this demand, we will be in touch with you to plan to meet this episodic demand in the most convenient way possible.

-2-

It was very nice to see you again at the recent Dedication of National Children's Center. I look forward to seeing you in the near future.

Sincerely,

Janet W. Neslen

Janet W. Neslen, M.D., M.P.H.
Chief, School Health Services
Branch

Statement from Legislative Program for the D.C. Public Schools, D.C.
Board of Education, February 1975 which accompanied Bill 1-48 when
presented for introduction

BACKGROUND INFORMATION and JUSTIFICATIONS

for

A BILL

To amend the Act entitled "An Act to regulate the employment of minors" so as to extensively revise the existing child labor laws for the District of Columbia.

The purpose of the bill is to extensively revise the existing child labor laws of the District of Columbia (45 Stat. 998; D. C. Code, title 36, ch. 2), enacted in 1928, to reflect present demands by youth for jobs, and to eliminate obsolete and restrictive provisions which hinder the employment of minors. At the same time, the bill would continue to protect, as does the present law, working youth from exploitation, and prohibit their employment in hazardous or dangerous occupations.

In order to increase employment opportunities for young men and women of the District, the amendments made by the draft bill would eliminate distinctions in employment based on sex by removing the barriers which restrict girls to certain occupations and circumscribe their hours of duty, and would expand the permitted working hours and areas of employment for all minors. It would eliminate obsolete job restrictions and establish standards more realistically related to modern working conditions and requirements. The bill would further authorize the issuance of a work permit to allow the employment of minors in sports activities, radio and television programs, as fashion models, and in theatrical, motion picture, musical and similar productions.

The procedures proposed by the bill for obtaining a work permit will eliminate or modify many of the cumbersome, unnecessarily complex, and time-consuming aspects of obtaining the present work permit. Specifically, the bill will eliminate the requirement of a special physical examination for minors under sixteen years of age, and rely instead upon parent approval and will enable parents to give written consent to the employment of a minor in lieu of physically accompanying the minor each time he applies for a work permit as is presently required, and will permit acceptance of a school record in lieu of a birth certificate as the primary proof

To amend the Act entitled "An Act to regulate the employment of minors" so as to extensively revise the existing child labor laws for the District of Columbia (continued).

of age, if such birth certificate is unavailable. It is believed that relaxation of the present detailed and stringent requirements for obtaining work permits will facilitate and encourage the prompt placement of youth in regular, short-term, and vacation jobs.

Other provisions of the bill increase the penalties for repeated violations of its prohibitions and forbid owners and employees of business establishments from allowing minors under sixteen years of age who are required by law to attend school to unlawfully remain around such establishments during school hours.

Table I

WORK PERMITS ISSUED

	Fiscal Year 1974	Summer [#] 1974	Fiscal Year 1975	Summer [#] 1975	Fiscal ⁺ Year 1976
<u>Presidential Bldg & Pupil Personnel Centers</u>					
Regular (16-17 yrs old)	5196	6673	4019	6174	1703
Re-Issue	4873	3856	3501	5959	1246
Vacation	3869	6524	3141	6288	1432
Re-Issue	1504	1377	777	1200	277
Regular (14-15 yrs old)	7		2		-
Theatrical	23	16	29	40	7
Subtotal	15472		11469		4665 ⁺
<u>Senior High Schools (12) & Outside Centers *</u>					
	11472		13067		
TOTAL	26944	18458	24536	19661	4665 ⁺
Range of # issued per month	388 ^{**} to 886	3411 [@] to 5877	202 ^{**} to 1622	3391 [@] to 6474	339 ^{**} to 514

Summer months are April, May, June and July of same calendar year

* Summer months for Senior High Schools & Centers are July, April, May, and June of the same fiscal year

** Excluding the summer months

@ See Table II

+ Data for 4 months: July, August, September & October

Table II

SUMMER WORK PERMIT PROGRAM

(Permits Issued)

	April 1974	May 1974	June 1974	July 1974	Summer 1974	April 1975	May 1975	June 1975	July 1975	Summer 1975
<u>Presidential Bldg</u>	1739	1356	2253	942	6390	520	637	2064	1105	4326
<u>Pupil Personnel Centers</u> *	359	357	572	293	1707	498	511	1168	451	2628
<u>Senior High Schools</u>										
Anacostia	177	25	200	229	631	244	408	297	181	1130
Ballou		93	307	213	613		141	260	184	585
Cardoza	298	170	366	223	1057	549	854	180	217	1800
Coolidge		14	56	44	114			117	31	148
Dunbar		371	292	282	945		62	119	130	311
Eastern		198	396	177	771		42	188	196	426
McKinley		57	211	264	532		120	92	177	389
Roosevelt	47	170	210	118	545		66	260	108	434
Spingarn	5	143	312	161	621	61	469	281	335	1146
Woodson		133	292	179	604	30	58	219	162	469
Western		59	132	146	337		98	128	14	240
Wilson		37			37		120	97	17	234
Total	527	1470	2774	2036	6807	884	2455	2238	1752	7329
<u>Outside Centers</u> #	1714	1648	278	140	3780	1559	2871	865	83	5378
TOTAL	4339	4831	5877	3411	18458 18458	3461	6474	6335	3391	19661 19661

* In 1974 four centers were used to issue permits: Bladensburg, Penn-Branch, Kennedy, and Kalorama. In 1975 two additional centers were added: Madison and Emery.

In 1974 the following locations were used as outside centers: USES (5 occasions), Rec. Centers (8), NCHA (3), DHR (4), YOS (5), Civil Service (1), and Church (1). By month: April (4), May (17), June (2), and July (4).

In 1975: USES (12), NCHA (4), DHR (2), YOS (2), School (1), Hospital (1), PRIDE (2), RLA (2), and S.W. Warehouse (1). By month: April (7), May (10), June (8), and July (2).

Memorandum Government of the District of Columbia

TO: Vincent E. Reed Department,
Acting Superintendent of Schools Agency, Office:
Public Schools of the District of Columbia

FROM: Julian R. Dugas, Chairman Date: November 14, 1975
Mayor's Task Force on Labor

SUBJECT: Proposed D. C. Department of Labor

By Order of the Mayor 75-58, a Mayor's Task Force on Labor was established to recommend a design for the creation of a Department of Labor in the District of Columbia.

This is to inform you that a decision has been made to include the enforcement of child labor laws and issuance of work permits in the proposed department.

Your continued cooperation and assistance in providing requested information necessary to prepare the Reorganization Plan will be appreciated.

PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA
SUPERINTENDENT OF SCHOOLS
PRESIDENTIAL BUILDING
415 - 12TH STREET, N. W.
WASHINGTON, D. C. 20004

December 17, 1975

The Honorable Julius W. Hobson, Chairperson
Committee on Education, Recreation and Youth Affairs
COUNCIL of THE DISTRICT of COLUMBIA
The District Building
Fourteenth and E Streets, N. W.
Washington, D. C. 20004

Dear Chairperson Hobson:

Attached is a copy of the Work Permit Budget Expenditures,
School Attendance and Work Permits Branch, from January 1 through
December 31, 1975, which was requested of the Director of School
Attendance and Work Permits by Mr. Louis Aronica of your staff.

I am also attaching copies of a Vacation and Regular Work
Permit, and a Street Trades Badge, as requested by Mr. Aronica.

Please let me know if I can be of further assistance to
you.

Sincerely yours,



Vincent E. Reed
Acting Superintendent of Schools

VER:ds
Attachments

cc: Louis Aronica

WORK PERMIT BUDGET EXPENDITURES

January 1 - December 31, 1975

School Attendance and Work Permits Branch

Personnel	Regular Budget	January 1 - December 31, 1975
<u>Staff</u>	<u>Classification</u>	<u>Salary</u>
1 Child Labor Inspector	TSA-15	\$ 15,415
1 Child Labor Inspector	TSA-15	13,415
1 Administrative Clerk	GS-6	<u>11,986</u>
		\$ 40,816

IMPACT AID SUMMER WORK PERMIT BUDGET EXPENDITURES

3 Child Labor Inspectors	TSA-15 (June 16 - July 31, 1975)	\$ 10,087
15 Clerk-typists (WAE)	GS-4 (May 13 - July 31, 1975)	<u>27,655</u>
		\$ 37,742

Forms	\$ 1,000
Supplies	229
Tokens	<u>80</u>
	\$ 1,309
	<hr/>
GRAND TOTAL	\$ 79,867

JPN:ds

Memorandum • Government of the District of Columbia

TO: Honorable Julius Hobson
Chairman
Committee on Education, Recreation and Youth Affairs
D.C. Council

Department, Office of the Mayor
Agency, Office:
Date: August 27, 1975

FROM: Judy Rogers *JR*
Special Assistant for Legislation

SUBJECT: Bill 1-48: To extensively revised the child labor laws in the District of Columbia, and for other purposes.

This memorandum is to advise you of certain Executive agency comments on Bill 1-48 introduced as the "Child Labor in the District of Columbia Act of 1975" and referred to your committee on March 18, 1975.

The Director of Human Resources has advised that he has no objections to the proposed revision of the child labor laws in the District. Also the Director points out that the changes in the law appear to be oriented toward the removal of anachronisms and an attempt to eliminate provisions which represent sex discrimination. The Department of Human Resources' concern with child labor laws has involved Federal provisions which served to limit the involvement of minors in vocational rehabilitation programs.

The Office of Budget and Management Systems has advised that it has no objections to the proposed bill, and believes no costs would be incurred as a result of enactment.

The Corporation Council has advised that bill 1-48 is similar to legislation submitted to the 92nd and 93rd Congress. It differs from those bills, principally by retaining the permit system instead of instituting a certificate of eligibility system. Moreover, since the few jurisdictions which attempted to utilize the certificate of eligibility system have returned to the permit system, such change would seem appropriate.

In addition, the Corporation Counsel points out that while the bill generally appears to be properly drafted, he suggest that:

- (1) the short title in section 1 be changed from "Child Labor in the District of Columbia Act of 1975" to "District of Columbia Child Labor Act Amendments of 1975."

(2) the new section 26 added in section 2(29) read as follows
"Section 26. This Act may be cited as the 'District of Columbia
Child Labor Act.'"

(3) on p. 17, line 11, strike "Sec. 2" and insert in lieu
thereof "Sec. 3."

With the above changes, he would recommend approval of the bill.

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

To Robert A. Williams, Secretary to the Council of the District of
Columbia
From Sandy Brown, Executive Assistant to Councilman Julius W. Hobson
Date January 7, 1976
Subject Agenda for the Legislative Session of the City Council

Please place the attached resolution entitled the "District Building Architectural Accessibility Resolution of 1976" on the January 13, 1976 agenda of the Council's Legislative Session for introduction.

Julius W. Hobson

A Resolution

In the Council of the District of Columbia

Councilmember Julius W. Hobson introduced the following resolution which was referred to the Committee on _____

To design and construct a permanent handicapped ramp with an automatic door to enable the physically handicapped to enter and exit the District Building at the 13 and 1/2 Street entrance.

Resolved by the Council of the District of Columbia that this resolution may be cited as the "District Building Architectural Accessibility Resolution of 1976".

Sec. 2. The Council finds that

(a) more than 50,000 people in the District of Columbia have some form of permanent physical disability;

(b) the District Building is architecturally inaccessible to the physically handicapped and these individuals are thus precluded from entering and using the building to seek governmental services related to their needs or to see City Council members; and

(c) the wooden ramps presently located at the 13 and 1/2 Street entrance of the District Building are inadequate to the point of being

dangerous and the surface of the ramp becomes slippery during wet weather and the grade is so steep that it is impossible for a person in a wheelchair to negotiate the ramp without strong assistance.

Sec. 3. For the purposes of this resolution -

(a) the term "physically handicapped person" means a person with a measurable limitation of mobility due to congenital defect, disease, or trauma and includes persons confined to a wheelchair.

(b) The term "ramp" means a sloping walkway which is attached to a building as a means of moving from one floor elevation to another without encountering any obstruction and shall conform to the following specifications:

(1) A ramp shall not have a slope greater than 1 foot in 12 feet and shall be no less than 4 feet clear width and structurally designed to carry a minimum of 125 pounds per square foot.

(2) A ramp shall have continuous handrails on two sides that are 32 inches in height measured from the surface of the ramp. The rails shall be smooth, at least 1 and 1/2 inches clear of walls, and extend at least 12 inches beyond the top and bottom of the ramp. Care shall be taken that the extension of the handrail is not in itself a hazard and the extension should be made on the side of a continuing wall.

(3) A ramp shall have a surface that is non-slip both when wet and dry.

(4) A ramp shall have a level platform at the top which is at least 60 inches by 60 inches in area. This platform shall extend at least 54 inches beyond the opening side of a single leaf door at which it terminates and have railings 32 inches high, measured from the surface.

(5) A ramp shall have at least 6 feet of straight level clearance at its base.

Sec. 4. The Council hereby directs the Mayor to construct, within 3 months after the date of adoption of this resolution, a ramp designed for use by the physically handicapped, meeting the specifications set forth in section 2(b), and install an automatic door which operates with a treadle at the 13 and 1/2 Street entrance of the District Building.

Sec. 5. There is hereby authorized to be appropriated or reprogrammed out of the revenue of the District of Columbia such sums as may be necessary to pay the expenses of carrying out the purpose of this resolution.

Sec. 6. This resolution shall take effect upon adoption by the Council.

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Robert Williams, Secretary to the Council

From Patricia Evans Miner, ~~Committee~~ Clerk, Committee on Education, Recreation,
and Youth Affairs

Date 7 January 1976

Subject Special Resolution for Agenda of January 13, 1976

Councilman James Hobson has requested that the

Please place the attached special resolution, honoring Joseph

H. Cole, on the agenda of the legislative meeting on January 13, 1976.

I would also request that a commemorative framed resolution be prepared
for presentation to Mr. Cole at that time.

January 6, 1975

Mr. William B. Robertson, Director
D.C. Office of Consumer Affairs
1407 L Street, N.W.
Washington, D.C. 20005

Dear Mr. Robertson:

Enclosed is a letter from Mr. Carter McFarland concerning the problem he has experienced in his dealings at the "Electronics Corner", a retail store, located at the southwest corner of 13th and F Streets, N.W.

I would like to have some background information, including a brief summary, on the problem by January 26, 1976. In your summary, please discuss what further steps you plan to take.

I look forward to hearing from you and thank you for your cooperation.

Sincerely,

JULIUS W. HOBSON
COUNCILMAN AT LARGE

Enclosure



JULIUS W. HOBSON
Councilman at Large

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

January 5, 1976

Mr. & Mrs. Antoine Perot
206 9th Street, S.E.
Washington, D.C. 20003

Dear Mr. & Mrs. Perot:

Enclosed is a copy of the response from Mr. Joseph Cole,
Director of the Department of Recreation regarding your concerns
about Capital East Natatorium Pool.

I appreciate your bringing this to my attention and I shall keep
your concerns in mind during the deliberations of the Committee on
Education, Recreation, and Youth Affairs. If I can be of further assistance,
please feel free to contact me.

Sincerely,

JULIUS W. HOBSON, Chairman
Committee on Education, Recreation,
and Youth Affairs

Enclosure

Councilmember Nadine Winter

Councilmember Julius W. Hobson

January 5, 1976

Capital East Natatorium

A response to my inquiry about the complaints of Antoine and Ruth Perot about the use of the Capital East Natatorium has been received from Mr. Joseph Cole, Director of the Department of Recreation. I feel that Mr. Cole's letter reflects a thorough and thoughtful assessment of the problem. I trust that this information will be useful to you.

Attachment

Council of the District of Columbia

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Councilmember Arrington Dixon

From Councilmember Julius W. Hobson

Date January 5, 1976

Subject Capital East Natatorium

A response to my inquiry about the complaints of Antoine and Ruth Perot about the use of the Capital East Natatorium has been received from Mr. Joseph Cole, Director of the Department of Recreation. I feel that Mr. Cole's letter reflects a thorough and thoughtful assessment of the problem. I trust that this information will be useful to you.

Attachment



JULIUS W. HOBSON
Councilman at Large

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

January 5, 1976

Mrs. Ellen O. Van Edwards
99 Webster Street, N.E., #102
Washington, D.C. 20011

Dear Mrs. Van Edwards:

Enclosed is a copy of the response received from Mr. Joseph Cole, Director of the Department of Recreation regarding the Capital East Natatorium Pool.

I appreciate your bringing this to my attention and I shall keep your concerns in mind during the deliberations of the Committee on Education, Recreation, and Youth Affairs. If I can be of further assistance, please feel free to contact me.

Sincerely,

JULIUS W. HOBSON, Chairman
Committee on Education, Recreation
and Youth Affairs

Enclosure



JULIUS W. HOBSON
Councilman at Large

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

January 5, 1976

Ms. Doris B. Brown
5230 First Street, N.W.
Washington, D.C. 20011

Dear Ms. Brown:

Enclosed is a copy of the response received from Mr. Joseph Cole, Director of the Department of Recreation regarding the Capital East Natatorium Pool.

I appreciate your bringing this to my attention and I shall keep your concerns in mind during the deliberations of the Committee on Education, Recreation, and Youth Affairs. If I can be of further assistance, please feel free to contact me.

Sincerely,

JULIUS W. HOBSON, Chairman
Committee on Education, Recreation
and Youth Affairs

Enclosure

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF RECREATION
3145 SIXTEENTH STREET, N. W.
WASHINGTON, D. C. 20010



December 29, 1975

Councilman Julius W. Hobson, Sr.
Council of the District of Columbia
District Building
Washington, D. C. 20004

Dear Councilman Hobson:

I apologize for the delay in replying to your November 10 letter which was received in my office on November 13. FY 1976 budget hearings on the Hill, final preparation of the FY 1977 budget, essential union matters and other very urgent business have kept me tied up. I have, however, with my Aquatics staff, made a detailed and thorough investigation of Antoine and Ruth Perot's protest about the operational hours and swimming program at the Capital East Natatorium which deprived them from using the swimming pool on the only day of their scheduled week. I have herein addressed myself to each of their charges.

The planned scheduled swimming meets are for only six (6) Sundays out of fifty per year. The swimming meets are not "outside" meets, as indicated in the Perots' November 4 letter to you. The meets are Metropolitan Area League meets for which the District of Columbia has a well trained and well organized team who are members of the league. There are, in fact, over 450 District of Columbia youths on our city team. Our young boys and girls represent the following swimming pools in our operation -- Capital East Natatorium, Washington Highlands, Woodson, Dunbar and Cardoza.

Since the swimming league is composed of teams in the metropolitan area and the District of Columbia, I can understand the comment made by Antoine and Ruth Perot about the teams involved being predominantly suburban. One could easily get that type of reaction not having full knowledge of the swimming league's make-up and its purpose and objectives.

Councilman Julius W. Hobson, Sr.

December 29, 1975

Page 2

Young, well developed swimmers, especially among our black youth, for too long have been neglected. Our city's Department of Recreation is providing a plus for these youngsters as well as white youngsters who reside in the District of Columbia. The conditioning, training and enriched experiences that our youths are getting by being members of our city's swimming teams and the league have greatly elevated and given status to our D. C. youth swimmers on a national level, college level and local level. Just to name a few among our local black youths who have received national status and recognition:

Fred Evans, breastroke National Champion, in his
age bracket;

Len Grant, rated as the best black female swimmer
in the United States;

On the college level, Roy Fegans, Captain, Morgan
State and rated nationally as #3 in his
event;

D. Youghbrou and Raymond Harris, outstanding
swimmers on the South Carolina
State Team; and

Blake Cavanaugh, Co-Captain, Syracuse University
Team.

Recently, scholarships have been given to Mark Lewis,
Dean Rice, and Harry Dickman to attend college.

The above are only a few of our youth who have greatly enriched their life experiences and gained national recognition through participation in these Metropolitan Area League swimming meets. There are many more pluses, too numerous to detail at this time. Job opportunities as lifeguards and pool managers are among other positive results. We are deeply involved with our local youth swimmers in these meets; therefore, our representation may appear insignificant to the Perots. However, the fact is -- we are very well represented by D. C. youth.

I address myself here to the statement in the Perot's letter about D. C. residents' participation in the suburban areas. For those who may be concerned, great use is made by this Department of suburban

Councilman Julius W. Hobson, Sr.

December 29, 1975

Page 3

recreation areas, public campsites, public golf courses, public indoor tennis facilities, public ice rinks, children's park in Wheaton, Maryland, and other recreation and park services on a cooperative basis. There is a little flack, of course, by a few suburban residents at times but nothing that we in our Capital Association of Park and Recreation Executives (CAPRE) cannot resolve.

Sponsorship of the swimming meets in question, or under protest, by the Perots at the Capital East Natatorium only indicates that we are doing our share as a team in the league as are other swimming teams and clubs in the league who are in the metropolitan area. Each of the other seven (7) clubs holds and sponsors meets in their districts, when our swimming team are their guests and we do participate in all the league meets.

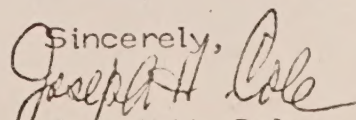
To water down, decrease or eliminate these meets would be disastrous. We have taken positive action to satisfy all concerned -- the Perots, and other public swimmers who may have the same thoughts or criticism. The following action is now in effect:

1. The meets will be held up to 4:00 p.m., as scheduled.
2. We now have the Capital East Pool open for public swimming for two (2) hours on Sundays, when the meets are held. These hours, which are well posted, are from 4:15 p.m. to 6:15 p.m. Guard services for these hours are given voluntarily by our guards and pool manager in order to support the meets and, at the same time, provide public guard service for those who desire to swim on Sundays when the six meets are scheduled.
3. Notices of the scheduled meets are posted well ahead of time so the public will know when such meets are to be held.

Thus far, we have found no problems with the above changes to satisfy those interested in swimming following our competitive league meets. I am very hopeful that all will be satisfied.

I appreciate having had this opportunity to reply and explain in detail the concerns of Antoine and Ruth Perot.

Happy Holidays!!!

Sincerely,

Joseph H. Cole
Director

